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Contents

Agricultural Marketing Service

PROPOSED RULE MAKING:	
Onions; U.S. standards for grades.....	12222
RULES AND REGULATIONS:	
Lettuce; suitable shipping condition tolerance.....	12209
Pears, plums and peaches in California; expenses and assessment rates, 1961-62 season.....	12211
Potatoes grown in Modoc and Siskiyou Counties in California and all counties in Oregon except Malheur County; expenses and assessment rate.....	12211

Agricultural Research Service

PROPOSED RULE MAKING:	
Labeling of barbecued meats.....	12222

Agricultural Stabilization and Conservation Service

RULES AND REGULATIONS:	
Wheat stabilization program, 1962; correction.....	12210

Agriculture Department

See Agricultural Marketing Service; Agricultural Research Service; Agricultural Stabilization and Conservation Service; Federal Crop Insurance Corporation.

Atomic Energy Commission

NOTICES:	
American Radiator and Standard Sanitary Corp.; issuance of utilization facility license amendment.....	12224
William Marsh Rice Institute; issuance of facility license amendment.....	12225

Canal Zone

RULES AND REGULATIONS:	
Exclusion and deportation of persons; routes of travel by persons deported to Panama.....	12217

Civil Service Commission

RULES AND REGULATIONS:	
Exceptions from competitive service:	
Labor Department.....	12211
State Department.....	12211

Defense Department

See Navy Department.

Federal Aviation Agency

RULES AND REGULATIONS:	
Airworthiness directives:	
Canadair CL-44D4 aircraft.....	12213
Pratt & Whitney JT3D Series turbofan engines.....	12214
Control zone; designation.....	12215
Federal airways; alteration.....	12214
Restricted area; alteration; correction.....	12215
Transportation of explosives and other dangerous articles; special authority for operation including one or more flights.....	12213

Federal Communications Commission

NOTICES:	
Hearings, etc.:	
Bloomfield Non-Profit Television Association.....	12225
Mesa Microwave, Inc.....	12225
RULES AND REGULATIONS:	
Radio broadcast services; table of assignments, certain television broadcast stations.....	12220

Federal Crop Insurance Corporation

RULES AND REGULATIONS:	
Peaches; 1962 and succeeding crop years.....	12210
Peanuts; 1961 and succeeding crop years.....	12209

Federal Power Commission

NOTICES:	
Hearings, etc.:	
Alabama Power Co.....	12226

Houston Texas Gas and Oil Corp.....	12227
Humble Oil & Refining Co.....	12227
J. M. Huber Corp.....	12227

Federal Trade Commission

RULES AND REGULATIONS:	
Prohibited trade practices:	
A. Weiss & Bob Alderman Fur Corp. et al.....	12215
Usen Canning Co.....	12216

Immigration and Naturalization Service

RULES AND REGULATIONS:	
Documentary requirements; consent to reapply for admission after deportation, removal, or departure at Government expense.....	12212
Nonimmigrant classes; special requirements for admission, extension, and maintenance of status; United Nations Headquarters District.....	12213
Petition for immigrant status as highly skilled person or as minister.....	12212
Powers and duties of service officers.....	12212

Interior Department

See Land Management Bureau.

Internal Revenue Service

RULES AND REGULATIONS:	
Income tax; taxable years beginning after Dec. 31, 1953; general rule for methods of accounting.....	12216

Interstate Commerce Commission

NOTICES:	
Fourth section applications for relief.....	12233
Motor carrier transfer proceedings.....	12232
Motor common carriers of property; routes and services; discontinuance of proposed rule making procedures.....	12234

(Continued on next page)

Justice Department

See Immigration and Naturalization Service.

Land Management Bureau

NOTICES:

Arizona; State Director and Land Office Manager; authority delegation 12224
Nevada; proposed withdrawal and reservation of lands 12224

Narcotics Bureau

PROPOSED RULE MAKING:

Narcotic drugs; norpethidine 12222

RULES AND REGULATIONS:

Opiates; certain drugs 12216

Navy Department

RULES AND REGULATIONS:

Disposition of property 12217

Officer personnel; termination of commissions of women officers 12217
Protection of proprietary rights in technical information proposed for release to foreign governments 12217
Rules applicable to the public 12217

Post Office Department

RULES AND REGULATIONS:

Highway and air transportation of mail 12218

Securities and Exchange Commission

NOTICES:

Hearings, etc.:

Alaska-North American Investment Co 12228
Apex Minerals Corp 12228
United Funds, Inc 12229

Small Business Administration

NOTICES:

Authority delegations:

Branch managers; financial assistance, procurement and technical assistance and administrative functions:

Arkansas; Little Rock 12229
Louisiana; New Orleans 12231
Texas:
Houston 12231
Lubbock 12230
San Antonio 12230
Oklahoma; Oklahoma City 12231
Managers of certain disaster field offices in Texas; recision of delegations:
Bay City 12232
Galveston 12232
Port Arthur 12232
Port Lavaca 12232

Treasury Department

See Internal Revenue Service; Narcotics Bureau.

Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

5 CFR

6 (2 documents) 12211

7 CFR

46 12209
401 12209
403 12210
776 12210
936 12211
959 12211

PROPOSED RULES:

51 12222

8 CFR

103 12212
204 12212
212 12212
214 12213

9 CFR

PROPOSED RULES:

17 12222

14 CFR

49 12213
507 (2 documents) 12213, 12214
600 12214
601 12215
608 12215

16 CFR

13 (2 documents) 12215, 12216

21 CFR

305 12216

PROPOSED RULES:

307 12222

26 CFR

1 12216

32 CFR

714 12217
736 12217
744 12217
765 12217

35 CFR

10 12217

39 CFR

94 12218
96 12218

47 CFR

3 12220



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Rules and Regulations

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 46—REGULATIONS (OTHER THAN RULES OF PRACTICE) UNDER PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

Suitable Shipping Condition Tolerance for Lettuce

On May 19, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 4368) regarding a proposed revision in the regulations, other than rules of practice (7 CFR 46.1-46.41) effective under the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531, et seq., as amended; 7 U.S.C. 499a et seq.). On August 11, 1961, an extension of time was published in the FEDERAL REGISTER (26 F.R. 7282) extending the time for trade comments to November 15, 1961.

After consideration of all relevant matters presented, the following amendments to the definition of "suitable shipping condition" and "good delivery" standards for lettuce are hereby promulgated pursuant to the authority contained in sec. 15, 46 Stat. 537, as amended; 7 U.S.C. 499o:

1. Section 46.41, paragraph (j) is amended to read as follows:

(j) "Suitable shipping condition", in relation to direct shipments, means that the commodity, at time of billing, is in a condition which, if the shipment is handled under normal transportation service and conditions, will assure delivery without abnormal deterioration at the contract destination agreed upon between the parties. If a good delivery standard for a commodity is set forth in § 46.42, and that commodity at the contract destination contains deterioration in excess of any tolerance provided therein, it will be considered abnormally deteriorated. The seller has no responsibility for any deterioration in transit if there is no contract destination agreed upon between the parties.

2. The following new section is added after § 46.41:

GOOD DELIVERY STANDARDS

§ 46.42 Good delivery.

Unless otherwise agreed to between the contracting parties, "Good Delivery" in connection with f.o.b. contracts of purchase and sale means that the commodity meets the requirements of the contract at time of loading or sale and, if the shipment is handled under normal transportation service and conditions, will meet the following additional requirements on delivery at the contract destination:

(a) *Lettuce.* (1) If the contract specifies a U.S. grade, the lettuce may contain an average of not more than 3 percent condition defects, including not more than 2 percent decay affecting any portion of the head exclusive of wrapper leaves in excess of the destination tolerances provided for the applicable grade in the U.S. Standards for Grades of Lettuce. (For example, the U.S. No. 1 grade provides a 12 percent tolerance for damage at destination. If a lot contains 5 percent damage by permanent grade factors, 7 percent of the tolerance can be applied to damage by condition factors. The additional 3 percent Good Delivery tolerance would then allow a total of 10 percent damage by condition factors in this shipment at destination.)

(2) If the contract does not specify a U.S. grade or percentage of condition defects, the lettuce at destination may contain a maximum of 15 percent, by count, of the heads in any lot which are damaged by condition defects, including therein not more than 9 percent serious damage of which not more than 5 percent may be decay affecting any portion of the head exclusive of wrapper leaves. Sales made on a percentage of a U.S. grade, without specifying the percentage of condition defects separately from the permanent defects, fall under this provision, and the lettuce may not contain more than a total of 15 percent condition defects at destination. However, if the condition defects are specified, provision No. 3 will apply.

(3) If the contract specifies a percentage of individual or combined condition defects, the lettuce at destination may contain either of the following, whichever is greater:

(i) One and one-half times the specified percentage of damage or serious damage by condition defects provided that, if serious damage is not specified, one-half of the allowance at destination may be serious damage, including therein not more than one-quarter of the total allowance may be decay affecting any portion of the head exclusive of wrapper leaves. (For example, a lot sold as "16 percent tipburn" could have a total of 24 percent damage by tipburn at destination, including not more than 12 percent serious damage of which not more than 6 percent may be decay affecting any portion of the head exclusive of wrapper leaves.) or

(ii) Up to 15 percent, by count, of the heads in any lot which are damaged by condition defects, including therein not more than 9 percent serious damage of which not more than 5 percent may be decay affecting any portion of the head exclusive of wrapper leaves.

Unless otherwise agreed to by the parties, condition defects will be considered to be damage as defined in the U.S. Standards for Lettuce.

(4) If the contract clearly indicates by descriptive terms that the lettuce is of inferior quality, larger allowances for

damage by condition defects than those specified above will be applied.

(5) If the buyer and the seller agree to percentages for defects at destination, higher or lower than those specified above, such percentages will determine whether good delivery is made.

These amendments shall become effective on March 1, 1962.

Done at Washington, D.C., this 18th day of December 1961.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 61-12096; Filed, Dec. 20, 1961;
8:49 a.m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 25]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

PEANUTS

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1962 crop year for peanuts in the following respects:

1. The table following paragraph (a) of § 401.3 of this chapter is amended effective beginning with the 1962 crop year for peanuts by adding the following insertion immediately below that portion of the table showing a closing date for peaches:

Peanuts..... April 30

2. The following section is added:

§ 401.36 The peanut endorsement.

The provisions of the peanut endorsement for the 1962 and succeeding crop years are as follows:

1. *Causes of loss insured against.* The insurance provided is against unavoidable loss of production due to wildlife, insect infestation, plant disease, earthquake, drought, flood, hail, wind, frost, freeze, lightning, fire, excessive rain, snow, hurricane, tornado and any other unavoidable causes of loss due to adverse weather conditions, subject, however, to any exceptions, exclusions or limitations with respect to such causes of loss that are set forth on the county actuarial table.

2. *Insured crop.* Insurance shall not be considered to have attached on (a) any acreage on which it is determined by the Corporation that the peanuts were destroyed for the purpose of conforming with any other program administered by the Secretary of Agriculture, (b) any acreage not planted to peanuts for the purpose of digging, maturing, and marketing as farmers stock peanuts, (c) any acreage not planted to a type of peanuts shown on the county actuarial table as insurable, or (d) any acreage on any

farm for which an acreage allotment for an insurable type of peanuts is not established.

3. *Insurance period.* Insurance on any insured acreage shall attach at the time the peanuts are planted and shall cease upon threshing or removal from the field, whichever occurs first, but in no event shall insurance remain in effect later than January 15 immediately following the calendar year in which the peanuts are normally harvested.

4. *Amount of insurance per acre.* The provisions of subsection 3(b) of the policy shall not be applicable with respect to amounts of insurance per acre under this endorsement. The amount of insurance per acre for each crop year shall be the applicable pounds per acre of peanuts established by the Corporation by area, classification, group, or other designation for the insured acreage and shown on the county actuarial table multiplied by the support price per pound for the insured type for the crop year under the peanut price support program administered by the United States Department of Agriculture.

5. *Notice of loss or substantial damage.* (a) In lieu of the provisions of section 8(a) of the policy, if, during the growing season, or after harvest but before threshing, the insured crop on any insurance unit is damaged to the extent that the insured does not expect to further care for the crop or he wants the consent of the Corporation to put the acreage to another use, the insured shall promptly give written notice of such damage to the Corporation at the county office.

(b) In lieu of the provisions of section 8(b) of the policy, if an insured loss occurs on any insurance unit the insured shall give written notice to the Corporation at the county office within 15 days after completion of selling, or otherwise disposing of the insured crop is completed on the insurance unit, or the calendar date for the end of the insurance period, whichever is earlier.

6. *Claims for loss.* (a) In lieu of subsection 11(c) of the policy, the following shall apply: Losses shall be determined separately for each insurance unit (hereinafter called "unit"). The amount of loss with respect to any unit shall be determined by (1) multiplying the insured acreage of peanuts on the unit by the applicable amount of insurance per acre, (2) subtracting therefrom the value (determined in accordance with subsection (b) of this section) of the total production to be counted for the unit, and (3) multiplying the remainder by the insured interest: *Provided*, That if for the unit the insured fails to report all of his interest or insurable acreage the amount of loss shall be determined with respect to all of his interest and insurable acreage but, in such cases or otherwise, if the premium computed on the basis of the insurable acreage and interest exceeds the premium on the reported acreage and interest or the acreage and interest when determined by the Corporation under section 2 of the policy, the amount of loss shall be reduced proportionately. The total production to be counted for any unit shall include the value of all threshed production and the value of any appraisals made by the Corporation for unthreshed, unharvested, or potential production, poor farming practices, uninsured causes of loss, or for acreage abandoned or put to another use without the consent of the Corporation: *Provided*, That, the value of the total production to be counted for any acreage not harvested nor considered as harvested within the meaning of the term "harvested" shall be not less than 20 percent of the amount of insurance for such acreage.

(b) In determining any loss under the contract, production shall be valued as follows: (1) the gross receipts, or the fair market value as determined by the Corpora-

tion taking into consideration the support price, whichever is the higher, of any peanuts sold, (2) the fair market value, as determined by the Corporation, taking into consideration the support price, of peanuts harvested and threshed but not sold, and (3) the fair market value of any unharvested or unthreshed peanuts determined by the Corporation as if such peanuts had been harvested and threshed. Any appraisals of production made for poor farming practices or uninsured causes of loss shall be valued at the support price per pound for the crop year under the peanut price support program for the insured type. The value of the total production to be counted for acreage abandoned or put to another use without the consent of the Corporation shall be the dollar amount of insurance provided for such acreage.

(c) To enable the Corporation to determine the fair market value of any peanuts for which a United States Department of Agriculture "Inspection Certificate and Sales Memorandum" has not been issued, the Corporation shall be given the opportunity to have such peanuts inspected and graded before they are disposed of by the insured. If the insured disposes of any production without giving the Corporation the opportunity to have the peanuts inspected and graded, such production shall be valued at the support price per pound for the crop year under the peanut price support program for the insured type.

7. *Meaning of terms.* For purposes of insurance on peanuts the terms:

(a) "Harvest" or "harvested" as to any acreage means the digging of peanuts for threshing where the peanut crop has not been destroyed. For the purpose of determining any loss under the contract, any acreage shall not be considered as harvested unless the Corporation determines that at the time of harvest the production realized had an actual or potential value of at least 20 percent of the amount of insurance for such acreage.

(b) "Insurance unit", notwithstanding section 21(g) of the policy, means the insurable acreage of a crop of peanuts in the county planted on a farm for which a single farm acreage allotment for the insurable type of peanuts is established in which (1) one person at the time of planting has the entire interest in the crop, or (2) the same two or more persons at the time of planting have the entire interest in the crop.

8. *Cancellation, termination for indebtedness, and discount dates.* (a) For each year of the contract the cancellation date shall be the December 31 and the termination date for indebtedness shall be the April 30 immediately preceding the beginning of the crop year for which the cancellation or the termination is to become effective.

(b) For the 1962 crop year only the discount date shall be December 31, 1962.

9. *Partial insurance.* The insured may elect for any crop year a percentage of the applicable amount of insurance per acre if such percentage is shown on the county actuarial table on file in the county office. In any case where such an election is made the amount of premiums (subject to section 5 of the policy) and any indemnities payable under the contract shall be adjusted accordingly. For the first crop year of peanut crop insurance the election must be made in writing at the time the application for insurance is filed. For any subsequent crop year, an election may be made, changed or rescinded by notifying the county office in writing on or before the applicable termination date for indebtedness for the crop year.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on December 11, 1961.

[SEAL] EARLL H. NIKKEL,
Secretary,
Federal Crop Insurance Corporation.

Approved on December 18, 1961.

JAMES T. RALPH,
Assistant Secretary.

[F.R. Doc. 61-12105; Filed, Dec. 20, 1961;
8:51 a.m.]

[Amdt. 1]

PART 403—PEACH CROP INSURANCE

Subpart—Regulations for the 1962 and Succeeding Crop Years

CAUSES OF LOSS INSURED AGAINST

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1962 crop year in the following respects:

Section 2 of the application and the policy shown in § 403.6 of this chapter is amended effective beginning with the 1962 crop year to read as follows:

2. *Causes of loss insured against.* The insurance provided is against unavoidable damage or loss resulting from frost, freeze, hurricane, tornado, hail, windstorm, when accompanied by hail, or a number of hours of chilling temperatures insufficient to effectively break the dormant period, subject, however, to any exceptions, exclusions or limitations with respect to such causes of loss as are set forth on the county actuarial table.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on December 11, 1961.

[SEAL] EARLL H. NIKKEL,
Secretary,
Federal Crop Insurance Corporation.

Approved on December 18, 1961.

JAMES T. RALPH,
Assistant Secretary.

[F.R. Doc. 61-12106; Filed, Dec. 20, 1961;
8:51 a.m.]

Chapter VII—Agricultural Stabiliza- tion and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER D—SPECIAL PROGRAMS

[1962 Wheat Stabilization Program, Supp. 1]

PART 776—WHEAT STABILIZATION PROGRAM

Subpart—1962 Wheat Stabilization Program Regulations

Correction

In F.R. Doc. 61-11295, appearing at page 11407 of the issue for Saturday, December 2, 1961, the following correction is made in the tabular material for Nebraska under § 776.52: For Cass

County, the entry for 1959-60 adjusted average yield (bushels) should read "29.4" instead of "2.4".

Chapter IX—Agricultural Marketing Service and Agricultural Stabilization and Conservation Service (Marketing Agreements and Orders), Department of Agriculture

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Determination Relative to the Expenses and Fixing of Rates of Assessment for 1961-62 Season

Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the proposals submitted by the Control Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that the expenses for the maintenance and functioning of such committee and the respective commodity committees, established, pursuant to the provisions of the aforesaid amended marketing agreement and order, are as follows:

(a) *Expenses.* * * *

(4) Elberta peaches, \$14,000.

It is, therefore, ordered, That paragraph (a) of § 936.216 Expenses and rates of assessment for the 1961-62 season (26 F.R. 5218) is hereby amended by deleting therefrom in subparagraph (4) the amount \$13,499.22 and substituting in lieu thereof the amount \$14,000. As amended paragraph (a) of § 936.216 reads as follows:

(a) *Expenses.* The expenses likely to be incurred by the Control Committee during the 1961-62 season beginning March 1, 1961, and ending February 28, 1962, both dates inclusive, for the maintenance and functioning of such committee and the respective commodity committees, established pursuant to the provisions of the aforesaid amended marketing agreement and order, are as follows:

(1) Bartlett pears, \$18,202.06;

(2) Early varieties of plums, \$20,253.12;

(3) Late varieties of plums, \$22,210.60; and

(4) Elberta peaches, \$14,000.

It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in rule making procedure, and postpone the effective date of this amendatory order until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that: (1) The increase in the budget set forth above does not involve an increase in the rates of assessment heretofore established by the Secretary (26 F.R. 5218); (2) the rele-

vant provisions of said amended marketing agreement and this part require that the rates of assessment fixed for a particular fiscal period shall be applicable to all assessable fresh Bartlett pears, early varieties of plums, late varieties of plums, and Elberta peaches from the beginning of such period and such rate of assessment shall be sufficient to provide funds for the payment of committee expenses; and (3) the said committee in the performance of its duties and functions has incurred expenses in excess of those previously thought likely to be incurred. Therefore, it is essential that this amendatory action be issued immediately so that said committee can meet its obligations.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated December 18, 1961, to become effective upon publication in the FEDERAL REGISTER.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-12102; Filed, Dec. 20, 1961; 8:51 a.m.]

PART 959—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES, CALIF., AND IN ALL COUNTIES IN OREGON, EXCEPT MALHEUR COUNTY

Approval of Expenses and Rate of Assessment

Notice of rule making regarding proposed expenses and rate of assessment, to be made effective under Marketing Agreement No. 114, as amended, and Order No. 59, as amended (7 CFR Part 959) regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and all Counties in Oregon except Malheur County, was published in the FEDERAL REGISTER, November 18, 1961 (26 F.R. 10809). This regulatory program is effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, which proposals were adopted and submitted for approval by the Oregon-California Potato Committee, established under the said amended marketing agreement and order, it is hereby found and determined that:

§ 959.214 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Oregon-California Potato Committee, established pursuant to Marketing Agreement No. 114, and Order No. 59, both as amended, to enable such committee to perform its functions under provisions of the amended marketing agreement and order during the fiscal period beginning July 1, 1961, and ending June 30, 1962, will amount to \$20,650.00.

(b) The rate of assessment to be paid by each handler pursuant to Marketing

Agreement No. 114, and Order No. 59, both as amended, shall be three-eighths of one cent (\$0.00375) per hundred-weight of potatoes handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section shall have the same meaning as when used in said amended marketing agreement and order.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) the relevant provisions of said amended marketing agreement and order require that rates of assessment fixed for a particular fiscal period shall be applicable to all assessable potatoes from the beginning of such period and (2) the current fiscal period began on July 1, 1961, and the rates of assessment herein fixed will automatically apply to all assessable potatoes beginning with such date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: December 18, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-12103; Filed, Dec. 20, 1961; 8:51 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Labor

Effective upon publication in the FEDERAL REGISTER, § 6.213, paragraphs (a) (1) and (b) (1), is added to Schedule B as set out below.

§ 6.213 Department of Labor.

(a) *Bureau of Apprenticeship and Training.* (1) Not to exceed January 1, 1963, not more than 5 positions of Industrial Training Adviser (Minorities) at grades GS-11 and 12.

(b) *Bureau of Employment Security.* (1) Not to exceed January 1, 1963, one position of Employment Adviser (Minorities).

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 61-12094; Filed, Dec. 20, 1961; 8:49 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of State

Effective upon publication in the FEDERAL REGISTER, subparagraph (8) is added

to paragraph (1) of § 6.302 as set out below.

§ 6.302 Department of State.

(1) *Bureau of Inter-American Affairs.*

(8) Two secretary and personal assistants to the U.S. Representative to the Council of the Organization of American States.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant to
the Commissioners.

[F.R. Doc. 61-12095; Filed, Dec. 20, 1961;
8:49 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Natural- ization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS

1. Paragraphs (f) and (g) of § 103.1 are amended to read as follows:

§ 103.1 Delegations of authority.

(f) *District directors.* Under the executive direction of a regional commissioner (except district directors outside the United States who operate under the executive direction of the Assistant Commissioner, Special Projects), the grant or denial of any application or petition submitted to the Service or the initiation of any authorized proceeding in their respective districts. District directors outside the United States have all appellate jurisdiction specified in this chapter not reserved to the Board of Immigration Appeals for matters arising in their respective districts.

(g) *Officers in charge.* The supervision of inspection at ports of entries and the authorizations of extensions of non-immigrant admission periods and of voluntary departure prior to the commencement of deportation hearings. Officers in charge in Districts 33, 34, and 35 have the same powers with respect to petitions and applications submitted by citizens or aliens residing in their respective areas as are conferred on district directors in the United States.

2. Section 103.2 is amended to read as follows:

§ 103.2 Formal applications and petitions.

Every formal application or petition shall be filed in accordance with the in-

structions contained thereon, such instructions being hereby incorporated into the particular section of the regulations requiring its submission. A parent, guardian, or other adult having a legitimate interest in a person who is under 14 years of age may file on such a person's behalf, and a guardian of a mentally incompetent person may file on such a person's behalf. Any required oath may be administered by an immigration officer or person generally authorized to administer oaths. The decision-rendering Service officer may, in his discretion, require the submission of additional evidence, including blood tests, may require the taking of testimony, and may direct the making of any necessary investigation. Any allegations made in addition to, or in substitution for, those originally made shall be made under oath and filed in the same manner as the original application or petition or noted on the original application or petition and acknowledged under oath thereon. Formal applications or petitions received in any Service office shall be stamped to show the time and date of their actual receipt and shall be regarded as filed when so stamped unless returned because they are improperly executed. Foreign language documents submitted shall be accompanied by certified English translations. A document executed abroad which was not issued by the authorized custodian of the official records of a government agency, church, university, or college on the basis of information contained in such records shall be executed by a person having personal knowledge of the facts stated in the document and shall be acknowledged by such person before the nearest American consular officer.

PART 204—PETITION FOR IMMI- GRANT STATUS AS A HIGHLY SKILLED PERSON OR AS A MINISTER

Part 204 is amended to read as follows:

- Sec.
204.1 Petition.
204.2 Clearance order.
204.3 First-preference petition validity.
204.4 Changed employment prior to entry.

AUTHORITY: §§ 204.1 to 204.4 issued under sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interpret or apply secs. 101, 203, 204, 66 Stat. 166, as amended, 178, as amended, 179; 8 U.S.C. 1101, 1153, 1154.

§ 204.1 Petition.

The petition required by section 204 of the Act shall be filed on a separate Form I-130 for each beneficiary and shall be accompanied by a fee of \$10. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal in accordance with the provisions of Part 103 of this chapter.

§ 204.2 Clearance order.

A United States Employment Service clearance order shall be attached to every submitted first-preference petition unless the petitioner has been informed by the office having jurisdiction over the

place where the beneficiary's services are to be performed that a clearance order for the beneficiary's occupation is not required. A single clearance order for a specified number of first-preference petitions may be used to support the identical number of such petitions filed by the same petitioner in behalf of beneficiaries who will do the work described in the clearance order.

§ 204.3 First-preference petition validity.

If an individual clearance order from the United States Employment Service is required to be submitted, the period of the first-preference petition's validity shall not exceed one year from the endorsement date placed on the clearance order by the Washington office of that Service. When an individual clearance order is not required, the period of validity of the first-preference petition shall not exceed one year from the date of the petition's approval.

§ 204.4 Changed employment prior to entry.

When a first-preference, or a non-quota-minister beneficiary of an approved petition who is outside the United States intends to accept, or has accepted, employment in the United States other than with the petitioner, absent an approved petition filed by the intended or actual employer, formal revocation proceedings shall be instituted under § 206.3 of this chapter unless the original petitioner, after being appropriately informed, files a written withdrawal of his petition.

PART 212—DOCUMENTARY RE- QUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Section 212.2 is amended to read as follows:

§ 212.2 Consent to reapply for admission after deportation, removal, or departure at Government expense.

An application for permission to reapply for admission to the United States after deportation or removal and to remove the bar to admissibility contained in paragraph (16) or (17) of section 212 (a) of the Act shall be filed on Form I-212 with the director of the district in which the deportation or removal proceedings were held or with the immigration officer in charge stationed abroad having jurisdiction over the place where the applicant is residing if the application is filed in connection with a request for a waiver under section 212 (g) or (h) of the Act. The applicant shall be notified of the decision and if the application is denied of the reasons therefor and of his right to appeal in accordance with the provisions of Part 103 of this chapter.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provi-

sions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order, other than those which relate to agency procedure and management, relieve restrictions and confer benefits upon persons affected thereby.

Dated: December 14, 1961.

J. M. SWING,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 61-12092; Filed, Dec. 20, 1961;
8:49 a.m.]

PART 214—NONIMMIGRANT CLASSES

Immediate Vicinity of the United Nations Headquarters District

The following amendment to Chapter I of Title 8 of the Code of Federal Regulations is hereby prescribed:

Subparagraph (2) of paragraph (c) of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended to read as follows:

(c) *Transits.* * * *

(2) *United Nations Headquarters District.* An alien of the class defined in section 101(a) (15) (C) of the Act, whose visa is limited to transit to and from the United Nations Headquarters District, if otherwise admissible, shall be admitted on the additional conditions that he proceeds directly to the immediate vicinity of the United Nations Headquarters District, and remains there continuously, departing therefrom only if required in connection with his departure from the United States, and that he has a document establishing his ability to enter some country other than the United States following his sojourn in the United Nations Headquarters District. The immediate vicinity of the United Nations Headquarters District is that area lying within a twenty-five mile radius of Columbus Circle, New York City, New York.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall become effective on January 1, 1962. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rule prescribed by the order confers benefits upon the person affected thereby.

Dated: December 14, 1961.

J. M. SWING,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 61-12091; Filed, Dec. 20, 1961;
8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency [Reg. Docket No. 1004; Amdt. 49-2; Supp. 4]

PART 49—TRANSPORTATION OF EX- PLOSIVES AND OTHER DANGEROUS ARTICLES

Special Authority for an Operation Including One or More Flights

Regulations governing the air transportation of explosives were originally promulgated in 1942 and expanded to cover "other dangerous articles" in 1944. These rules have been revised several times since then to permit the carriage of additional articles as the experience gained showed that a greater variety and quantity of these materials could be transported with safety.

Section 49.2 presently authorizes deviations for a particular flight in an emergency situation, or when other forms of transportation are impractical. This requires an individual authorization for each flight and this has proved to be a cumbersome procedure for both the aircraft operators and the Administrator when the total amount of material cannot be carried on one flight. Repeated issuance for each flight can be so time-consuming that it can cause serious delays in an air carrier's operation and may create critical commercial and industrial shortages of material and economic loss to the user. Experience gained under these deviations over the years has proved that repeated individual flights have been operated under the same terms and conditions without adverse effect on safety and it now appears reasonable to apply the deviation to an overall operation rather than to a particular flight.

Adequate control over these operations is provided for in the authorization since each operation must be conducted under such terms, conditions, and limitations as are found necessary in the interest of safety in air commerce.

Since this amendment imposes no additional burden upon any person, notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days' notice.

In consideration of the foregoing, Part 49 of the Civil Air Regulations (14 CFR Part 49, as amended) is hereby amended as follows, effective December 21, 1961:

1. By amending § 49.2(a) (1) to read as follows:

§ 49.2 Special authority.

(a) * * *

(1) Authority to deviate from any of the provisions of this part for a particular operation, involving one or more flights, may be issued by an authorized representative of the Administrator subject to such terms, conditions, and lim-

itations as he finds necessary in the interest of safety in air commerce.

2. By amending the introductory paragraph of § 49.2-1 to read as follows:

§ 49.2-1 Authority to deviate from the provisions of this part (FAA policies which apply to § 49.2(a)).

Authority to deviate from the provisions of Part 49 for a particular operation may be issued to cover the cases described in paragraph (a) or (b) of this section.

3. By amending § 49.2-2(d) to read as follows:

§ 49.2-2 Conditions and limitations (FAA policies which apply to § 49.2).

* * * * *

(d) The authorization is limited to the particular operation and to the articles for which the authorization is requested, and it will specify the point or points of origin where the articles are to be placed aboard the aircraft and the point or points of destination where such articles are to be removed from the aircraft.

(Secs. 313(a), 601, 604, 902; 72 Stat. 752, 775, 778, 784; 49 U.S.C. 1354(a), 1421, 1424, 1472)

Issued in Washington, D.C., on December 15, 1961.

N. E. HALABY,
Administrator.

[F.R. Doc. 61-12040; Filed, Dec. 20, 1961;
8:45 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Regulatory Docket No. 1002; Amdt. 379]

PART 507—AIRWORTHINESS DIRECTIVES

Canadair CL-44D4 Aircraft

As a result of an investigation of a fire in the tail heater compartment on a Canadair CL-44D4 aircraft, a fuel leak was found in the line to the upper heater. Accordingly, repetitive inspections are necessary to preclude further such incidents until incorporation of an approved modification is accomplished.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

CANADAIR. Applies to all CL-44D4 aircraft. Compliance required as indicated.

As a result of a fuel leak found in the line to the upper heater, the following inspection must be accomplished within the next 25

hours' time in service after the effective date of this AD unless already accomplished within the last 40 hours' time in service and at intervals of 65 hours' time in service thereafter.

With full fuel pressure in the tail heater fuel lines, inspect all fuel lines and fittings in the tail heater compartment for leaks and security of attachment. Loose lines shall be properly secured, and defective lines and fittings replaced prior to further flight.

The special inspections required by this airworthiness directive may be discontinued after incorporation of the Canadian Department of Transport and FAA approved modification.

Upon request of the operator an FAA maintenance inspector subject to prior approval of the Chief, Engineering and Manufacturing Branch, International Division, Washington 25, D.C., may adjust the repetitive inspection intervals specified in this Airworthiness Directive to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

This amendment shall become effective December 21, 1961.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on December 14, 1961.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 61-12058; Filed, Dec. 20, 1961; 8:45 a.m.]

[Regulatory Docket No. 1003; Amdt. 380]

PART 507—AIRWORTHINESS DIRECTIVES

Pratt & Whitney JT3D Series Turbofan Engines

There have been several recent inflight fires on JT3D Series turbofan engines, resulting from fuel leakage at the fuel transfer points where the fuel pressurizing and dump valve attaches to the engine. To correct this unsafe condition, an airworthiness directive requiring replacement of the valve seals every 300 hours' time in service and rework to incorporate metal chevron type seals no later than the first overhaul after March 1, 1962, is necessary.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

PRATT & WHITNEY. Applies to all JT3D-1, JT3D-1-MC6, JT3D-1-MC7, and JT3D-3 turbofan engines.

Compliance required as indicated.

Due to recent inflight engine fires resulting from fuel leakage occurring at the fuel transfer points where the fuel pressurizing and dump valve attaches to the engine, the following is required:

(a) All Pratt & Whitney aircraft JT3D-1, JT3D-1-MC6, JT3D-1-MC7, and JT3D-3 turbofan engines installed in Boeing aircraft.

Compliance required within the next 100 hours' time in service unless already accomplished within the last 200 hours' time in service and every 300 hours' time in service thereafter until metal chevron type seals are incorporated.

Replace the P/N's 443098, 379644, 371339, or 367444 fuel pressurizing and dump valve seals with new seals of the same part numbers where the pressurizing and dump valve assembly attaches to the fuel manifold inlet distributor assembly.

(Pratt & Whitney Aircraft telegraphic message dated September 28, 1961, covers the same subject.)

(b) All Pratt & Whitney aircraft JT3D-1, JT3D-1-MC6, JT3D-1-MC7, and JT3D-3 turbofan engines installed in Boeing and Douglas aircraft.

Compliance required not later than the first engine overhaul after March 1, 1962.

Rework the engine in accordance with Pratt & Whitney Aircraft Turbojet Engine Service Bulletin No. 274 which provides for metal chevron type seals.

(c) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the repetitive inspection intervals specified in this Airworthiness Directive to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

This amendment shall become effective December 21, 1961.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on December 14, 1961.

GEORGE C. PRILL,
Director,
Flight Standards Service.

[F.R. Doc. 61-12059; Filed, Dec. 20, 1961; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-WA-90]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On August 1, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 6858) stating that the Federal Aviation Agency was considering amendments to §§ 600.1510, 600.1512, 600.1551, 600.1553, 600.1654, and 600.1738 of the regulations of the Administrator.

No adverse comments were received regarding the proposed amendments.

The Air Transport Association did, in their comments, suggest that the dual route concept be extended westward to the San Francisco Bay area. They also requested that certain of the navigational facilities along the affected airway segments be eliminated as compulsory reporting points.

A proposal is now under study to extend the dual route structure to the Crockett, Calif., VHF intersection. If the results of the study are favorable, separate airspace action will be initiated.

The Federal Aviation Agency is cognizant of the position reporting requirements currently being imposed upon the

user by the incorporation of additional NAVAIDS into the intermediate altitude system. A study is now being conducted to alleviate this condition and the results of the study will be the subject of separate airspace action.

The Federal Aviation in re-evaluating the proposal has determined that a reduction in the airway width of Victor 1738 from 10 miles, as proposed, to eight miles in the vicinity of the Fallon, Nev., VOR would enhance terminal operating procedures at Fallon, Nev.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated herein and in the notice, the following actions are taken:

1. In the text of § 600.1510 (26 F.R. 1082, 4052, 8628) "From the San Francisco, Calif., VOR via the INT of the San Francisco, Calif., VOR 304° and the Sacramento, Calif., VOR 233° radials; Sacramento VOR; thence 10-mile wide airway to the INT of the Sacramento VOR 055° and the Reno, Nev., VOR 233° radials; thence to the Reno VOR; thence 10-mile wide airway to the Lovelock, Nev., VOR; thence to the Battle Mountain, Nev., VOR; thence 10-mile wide airway via the INT of the Battle Mountain VOR 062° and the Wells, Nev., VOR 256° radials; to the Wells VOR; thence to the Lucin, Utah, VOR; thence 10-mile wide airway to the Ogden VOR;" is deleted and "From the San Francisco, Calif., VOR 10-mile wide airway to the INT of the San Francisco VOR 304° and the Sacramento, Calif., VOR 233° radials; thence to the INT of the Sacramento VOR 233° and the Linden, Calif., VOR 269° radials; thence 8-mile wide airway to the Sacramento VOR; thence 10-mile wide airway to the INT of the Sacramento VOR 038° and the Lake Tahoe, Calif., VOR 261° radials; thence to the INT of the Sacramento VOR 038° and the Reno, Nev., VOR 257° radials; thence 10-mile wide airway via the Reno VOR; Lovelock, Nev., VOR; Battle Mountain, Nev., VOR; INT of the Battle Mountain VOR 062° and the Wells, Nev., VOR 256° radials; Wells VOR; Lucin, Utah, VOR; to the Ogden, Utah, VOR;" is substituted therefor.

2. Section 600.1738 (26 F.R. 1093) is amended as follows:

a. In the caption "Reno, Nev." is deleted and "Elko, Nev." is substituted therefor.

b. In the text "From the Sacramento, Calif., VOR via the INT of the Sacramento VOR 040° and the Reno, Nev., VOR 257° radials; to the Reno VOR;" is deleted and "From the Sacramento, Calif., VOR 10-mile wide airway via the INT of the Sacramento VOR 038° and the Lake Tahoe, Calif., VOR 249° radials; Lake Tahoe VOR; INT of the Lake Tahoe VOR 078° and the Fallon, Nev., VOR 244° radials; to the INT of the Fallon VOR 244° and Reno, Nev., VOR 099° radials; thence 8-mile wide airway via

the Fallon VOR; to the INT of the Fallon VOR 061° and the Lovelock, Nev., VOR 202° radials; thence 10-mile wide airway via the Mount Moses, Nev., VOR; to the Elko, Nev., VOR." is substituted therefor.

3. In the text of § 600.1551 (26 F.R. 1087) "thence 10-mile wide airway to the Lovelock, Nev., VOR; thence to the Battle Mountain, Nev., VOR; thence 10-mile wide airway via the INT of the Battle Mountain VOR 062° and the Wells, Nev., VOR 256° radials;" is deleted and "thence 10-mile wide airway via the Lovelock, Nev., VOR; Battle Mountain, Nev., VOR; INT of the Battle Mountain VOR 062° and the Wells, Nev., VOR 256° radials;" is substituted therefor.

4. In the text of § 600.1512 (26 F.R. 1082) "From the INT of the Sacramento, Calif., VOR 232° and the Linden, Calif., VOR 269° radials; thence 10-mile wide airway via the Linden VOR; INT of the Linden VOR 046° and the Reno, Nev., VOR 208° radials; thence to Reno VOR; thence 10-mile wide airway to the Lovelock, Nev., VOR; thence to the Battle Mountain, Nev., VOR; thence 10-mile wide airway via the Elko, Nev., VOR;" is deleted and "From the San Francisco, Calif., VOR 10-mile wide airway to the INT of the San Francisco VOR 304° and the Sacramento, Calif., VOR 233° radials; thence to the INT of the Sacramento VOR 233° and the Linden, Calif., VOR 269° radials; thence 10-mile wide airway via the Linden VOR; INT of the Linden VOR 046° and the Reno, Nev., VOR 208° radials; thence to the Reno VOR; thence 10-mile wide airway via the Lovelock, Nev., VOR; Battle Mountain, Nev., VOR; Elko, Nev., VOR;" is substituted therefor.

5. Section 600.1553 (26 F.R. 1087) is amended as follows:

a. In the caption "Sacramento, Calif.," is deleted and "San Francisco, Calif.," is substituted therefor.

b. In the text "From the Sacramento, Calif., VOR 10-mile wide airway to the INT of the Sacramento VOR 055° and the Reno, Nev., VOR 233° radials; thence to the Reno VOR; thence 10-mile wide airway via the Lovelock, Nev., VOR;" is deleted and "From the Oakland, Calif., VOR 8-mile wide airway via the INT of the Oakland VOR 039° and the Sacramento, Calif., VOR 212° radials; to the Sacramento VOR; thence 10-mile wide airway via the Lake Tahoe, Calif., VOR; Reno, Nev., VOR; Lovelock, Nev., VOR;" is substituted therefor.

6. In the text of § 600.1654 (26 F.R. 1089) "to the Reno, Nev., VOR." is deleted and "to the INT of the Sacramento, Calif., VOR 038° and the Reno, Nev., VOR 257° radials; thence 10-mile wide airway to the Reno VOR." is substituted therefor.

These amendments shall become effective 0001 e.s.t., February 8, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 14, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61-12061; Filed, Dec. 20, 1961; 8:45 a.m.]

No. 245—2

[Airspace Docket No. 61-FW-69]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Designation of Control Zone

On August 2, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 6942), stating that the Federal Aviation Agency (FAA) proposed to designate a control zone at Plainview, Texas.

The Departments of the Army and Air Force voiced no objections to the establishment of the Plainview control zone. The Air Transport Association endorsed the establishment of the control zone but recommended that an extension be established to protect aircraft executing special instrument approach procedures authorized for Central Airlines. These approach procedures are based on a privately operated radio beacon and are authorized for only one segment of the aviation activity at Plainview. Since the procedures are not available for public use, designation of a control zone extension would not be in the public interest. A VOR facility is programmed for installation at Plainview. After development of suitable public use instrument approach procedures, appropriate alteration of the control zone will be proposed.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

In the text of § 601.1983 (14 CFR 601.1983) the following is added: "Plainview, Texas: Hale County Airport (latitude 34°10'10" N., longitude 101°43'00" W.)."

This amendment shall become effective 0001 e.s.t., February 8, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 14, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61-12060; Filed, Dec. 20, 1961; 8:45 a.m.]

[Airspace Docket No. 60-KC-24]

PART 608—SPECIAL USE AIRSPACE

Alteration of Restricted Areas

Correction

In F.R. Doc. 61-11789, appearing at page 11859 of the issue for Tuesday, December 12, 1961, in the boundaries description under item 8, the following ma-

terial should be inserted immediately preceding the first occurrence of "latitude 39°04'24" N.": "Latitude 39°06'20" N., longitude 96°43'00" W.; thence to".

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 8372 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

A. Weiss & Bob Alderman Fur Corp. et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely: § 13.1108-45 Fur Products Labeling Act.* Subpart—Misbranding or mislabeling: § 13.1255 *Manufacture or preparation: § 13.1255-30 Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements: § 13.1852-35 Fur Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) (Cease and desist order, A. Weiss & Bob Alderman Fur Corp. et al., New York, N.Y., Docket 8372, Sept. 22, 1961)

In the Matter of A. Weiss & Bob Alderman Fur Corp., a Corporation, and Abraham Weiss and Robert Alderman, Individually and as Officers of Said Corporation

Consent order requiring New York City furriers to cease violating the Fur Products Labeling Act by labeling and invoicing fur products falsely to show that artificially colored fur contained therein was natural, and by failing to comply in other respects with labeling and invoicing requirements.

The order to cease and desist is as follows:

It is ordered, That respondent A. Weiss & Bob Alderman Fur Corp., a corporation, and its officers, and Abraham Weiss and Robert Alderman, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce of fur products; or in connection with the sale, manufacture for sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce as "commerce", "fur" and "fur products" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

A. Representing directly or by implication, on labels that furs or fur prod-

ucts are natural, when such is not the fact;

B. Failing to affix labels to fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act;

2. Falsely or deceptively invoicing fur products by:

A. Representing directly or by implication, on invoices that furs or fur products are natural, when such is not the fact;

B. Failing to furnish to purchasers of fur products invoices showing all the information required to be disclosed by each of the subsections of section 5(b) (1) of the Fur Products Labeling Act.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the above-named respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: September 22, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 61-12067; Filed, Dec. 20, 1961;
8:46 a.m.]

[Docket 8313 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Usen Canning Co.

Subpart—Discriminating in price under section 2, Clayton Act—Payment for services or facilities for processing or sale under 2(d): § 13.824 *Advertising expenses*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1527; 15 U.S.C. 13) [Cease and desist order, Usen Canning Company, Boston, Mass., Docket 8313, Sept. 22, 1961]

In the Matter of Usen Canning Company, a Corporation

Consent order requiring a Boston, Mass., distributor of cat food to cease violating section 2(d) of the Clayton Act by discriminating among competing purchasers; for example, paying \$250 to a Jacksonville, Fla., retail grocery chain for promoting its products while not making allowances available on proportionally equal terms to all other competing customers.

The order to cease and desist, including proviso requiring report of compliance therewith, is as follows:

It is ordered, That respondent Usen Canning Company, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device in connection with the sale of cat food products in commerce, as "commerce" is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from: Making

or contracting to make, to or for the benefit of any customer, any payment of anything of value as compensation or in consideration for any advertising or other services or facilities furnished by or through such customer, in connection with the handling, offering for sale, or sale of cat food products manufactured, sold, or offered for sale by respondent, unless such payment or consideration is offered or otherwise made available on proportionally equal terms to all other customers competing in the distribution or resale of such products.

It is further ordered, That the respondent shall within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: September 22, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 61-12066, Filed, Dec. 20, 1961;
8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter II—Bureau of Narcotics, Department of the Treasury

[T.D. 65]

PART 305—OPIATES

Finding of Certain Drugs To Be Opiates

On October 31, 1961, a notice was published in the FEDERAL REGISTER (26 F.R. 10173), stating that the Commissioner of Narcotics pursuant to the provisions of section 4731(g) of the Internal Revenue Code of 1954 (26 U.S.C. 4731(g)), as amended by section 4(b) of the Narcotics Manufacturing Act of 1960 (74 Stat. 57), and pursuant to 21 CFR 305.1, proposed that a finding be made that the drug known as Norpethidine (ethyl 4-phenyl-4-piperidinecarboxylate) and the drug known as Ethyl 1-(2-carbamylethyl)-4-phenyl-4-piperidinecarboxylate and their salts possess an addiction-forming or addiction-sustaining liability similar to morphine or are capable of conversion into drugs having an addiction-forming or addiction-sustaining liability similar to morphine with relative technical simplicity and degree of yield as to create a risk of improper use, and are opiates.

After due notice and opportunity for public hearing and after consideration of all relevant matters presented, the substances referred to in the proposed finding as so published are hereby proclaimed as opiates.

Accordingly, § 305.2 is amended to read as follows:

§ 305.2 Chronological list of findings.

The following is a chronological list of the drugs or other substances proclaimed to be opiates by the Commissioner of Narcotics. Drugs or other substances listed include any salts thereof.

August 8, 1961

Betamethadol (B-4,4-diphenyl-6-dimethylamino-3-heptanol or B-6-dimethylamino-4,4-diphenyl-3-heptanol).

Etixeridine (1-[2-(2-hydroxyethoxy)-ethyl]-4-phenylpiperidine-4-carboxylic acid ethyl ester) (Atenorax, Atenos, Carbetidine).

Levomoramide (1-(3-methyl-2,2-diphenyl-4-morpholino-butyl)-pyrrolidine).

Racemoramide (d,l-3-methyl-2,2-diphenyl-4-morpholino-butyl)-pyrrolidine).

Trimeperidine (1,2,5-trimethyl-4-phenyl-4-propionoxypiperidine) (Promedol).

Phenoperidine (1-(3-hydroxy-3-phenylpropyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester).

October 5, 1961

Noracymethadol (a-dl-3-acetoxy-6-methylamino-4,4-diphenyl heptane).

December 21, 1961

Norpethidine (ethyl 4-phenyl-4-piperidinecarboxylate).
Ethyl 1-(2-carbamylethyl)-4-phenyl-4-piperidinecarboxylate.

Because this amendment of § 305.2 merely supplies appropriate introductory material to the chronological list and lists the drugs or other substances proclaimed by the Commissioner of Narcotics as opiates, it is hereby found that it is unnecessary to issue this Treasury Decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

Effective date. This Treasury Decision shall become effective upon its filing for publication in the FEDERAL REGISTER.

(26 U.S.C. 4731(g), as amended by sec. 4(b), Pub. Law 86-429 (74 Stat. 57); sec. 17, Pub. Law 86-429 (74 Stat. 67))

[SEAL] HENRY L. GIORDANO,
Acting Commissioner of Narcotics.

Approved: December 14, 1961.

A. GILMORE FLUES,
Assistant Secretary of the Treasury.

[F.R. Doc. 61-12071; Filed, Dec. 20, 1961;
8:46 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6584]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

General Rule for Methods of Accounting

In order to amend the Income Tax Regulations (26 CFR Part 1) to require the use of Form 3115 by taxpayers requesting permission to change their method of accounting under section 446(e) of the Internal Revenue Code of 1954, paragraph (e) (3) of § 1.446-1 of such regulations is hereby amended to read as follows:

§ 1.446-1 General rule for methods of accounting.

(e) *Requirement respecting the adoption or change of accounting method.*

(3) In order to secure the Commissioner's consent to a change of a taxpayer's method of accounting, the taxpayer must file an application on Form 3115 with the Commissioner of Internal Revenue, Washington 25, D.C., within 90 days after the beginning of the taxable year in which it is desired to make the change. The taxpayer shall, to the extent applicable, furnish all information requested on such form, disclosing in detail all classes of items which would be treated differently under the new method of accounting and showing all amounts which would be duplicated or omitted as a result of the proposed change. The Commissioner may require such other information as may be necessary in order to determine whether the proposed change will be permitted. Permission to change a taxpayer's method of accounting will not be granted unless the taxpayer and the Commissioner agree to the terms, conditions, and adjustments under which the change will be effected. See section 481 and the regulations thereunder, relating to certain adjustments required by such changes, section 472 and the regulations thereunder, relating to changes to and from the last-in, first-out method of inventorying goods, and section 453 and the regulations thereunder, relating to certain adjustments required by a change from an accrual method to the installment method.

Because this Treasury decision merely changes the procedure for the submission of certain information, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective dated limitation of section 4(c) of said Act.

This Treasury decision is issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

Approved: December 15, 1961.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

[F.R. Doc. 61-12093; Filed, Dec. 20, 1961; 8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

SUBCHAPTER C—PERSONNEL

PART 714—OFFICER PERSONNEL

Termination of Commissions of Women Officers

1. Section 714.1(b) is redesignated as § 714.1(b) (1) and the following is added as § 714.1(b) (2):

(2) The statutory provisions cited in paragraphs (a) and (b) (1) of this section and a further statutory provision (ch. 457, 2d proviso 66 Stat. 155-156) have been consolidated in sec. 6393, 70A Stat. 410 (10 U.S.C. 6393).

(R.S. 161, secs. 5031, 6393, 70A Stat. 278, 410, as amended; 5 U.S.C. 22, 10 U.S.C. 5031, 6393)

By direction of the Secretary of the Navy.

[SEAL] ROBERT D. POWERS, Jr.,
Rear Admiral, United States Navy, Acting Judge Advocate General of the Navy.

DECEMBER 15, 1961.

[F.R. Doc. 61-12100; Filed, Dec. 20, 1961; 8:50 a.m.]

SUBCHAPTER D—PROCUREMENT, PROPERTY, PATENTS, AND CONTRACTS

SUBCHAPTER G—MISCELLANEOUS RULES

MISCELLANEOUS AMENDMENTS TO CHAPTER

PART 736—DISPOSITION OF PROPERTY

1. Section 736.4 is revised to read as follows:

§ 736.4 Disposition of real property.

In general, real property determined to be excess to the needs of the Department of Defense is reported to the General Services Administration for disposition under the Federal Property Act. In the case of real property outside the United States, Puerto Rico and the Virgin Islands; real property worth less than \$1,000 in the United States, Puerto Rico and the Virgin Islands; certain leaseholds and improvements on Government-owned lands and in other special cases, surplus real property not available for donation under the Federal Property Act is disposed of by the Bureau of Yards and Docks Division Directors, or District or Area Public Works Officers. Sales are generally by competitive bid, but may be negotiated in special cases. Under certain circumstances, the Federal Property Act authorizes allocation of surplus real property for transfer by the General Services Administration to appropriate State agencies for distribution to educational activities which are of special interest to the Armed Services, such as maritime academies or military, naval, Air Force or Coast Guard preparatory schools.

(R.S. 161, 63 Stat. 377, sec. 202(f), 63 Stat. 580-581, sec. 5031, 70A Stat. 278, as amended; 5 U.S.C. 22, 171a(f), 10 U.S.C. 5031, 40 U.S.C. 471-514)

PART 744—POLICIES AND PROCEDURES FOR THE PROTECTION OF PROPRIETARY RIGHTS IN TECHNICAL INFORMATION PROPOSED FOR RELEASE TO FOREIGN GOVERNMENTS

1. The citation of authority is revised to read as follows:

AUTHORITY: §§ 744.1 to 744.8 issued under R.S. 161, secs. 5031, 6011, 70A Stat. 278, 375,

as amended; 5 U.S.C. 22, 10 U.S.C. 5031, 6011. Interpret or apply the Mutual Security Act of 1954 (68 Stat. 832) as amended, 22 U.S.C. 1750 et seq., and Act of Sept. 4, 1961 (Public Law 87-195, 75 Stat. 424), 22 U.S.C. 2151-2406 (2351, 2356).

2. Section 744.1 is revised to read as follows:

§ 744.1 Purpose.

This part implements Part 264 of this title and the Technical Property Interchange Agreements between the United States and foreign governments which agreements are designed to facilitate the interchange of patent rights and technical information for defense purposes.

3. The introductory paragraph of § 744.3(a) is revised to read as follows:

§ 744.3 Background.

(a) Pursuant to the provisions of the Mutual Security Act of 1954, as amended, and of predecessor legislation superseded by that Act, the United States has entered into agreements for the interchange of Patent Rights and Technical Information to further the common defense of the United States and friendly nations. Agreements are now in effect with Australia, Belgium, Denmark, France, the Federal Republic of Germany, Greece, Italy, Japan, the Netherlands, Norway, Portugal, Spain, Turkey, and the United Kingdom. These agreements, among other things, are intended to facilitate the interchange of technical information by:

PART 765—RULES APPLICABLE TO THE PUBLIC

§§ 765.7, 765.8, 765.16 [Deletion]

1. Sections 765.7, 765.8, and 765.16 are deleted.

(R.S. 161, secs. 5031, 70A Stat. 278, as amended; 5 U.S.C. 22, 10 U.S.C. 5031)

By direction of the Secretary of the Navy.

[SEAL] ROBERT D. POWERS, Jr.,
Rear Admiral, United States Navy, Acting Judge Advocate General of the Navy.

DECEMBER 15, 1961.

[F.R. Doc. 61-12072; Filed, Dec. 20, 1961; 8:50 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 10—EXCLUSION AND DEPORTATION OF PERSONS

Routes of Travel by Persons Deported to Panama

Effective upon publication in the FEDERAL REGISTER, § 10.35 of Title 35, Code of Federal Regulations, is amended to read as follows:

§ 10.35 Routes of travel by persons deported to Panama.

The deported person referred to in § 10.34 may pass through the Canal Zone only over the following routes, and only

by the following means or modes of travel where specified:

(a) Between the cities of Panama and Colon: By train of the Panama Railroad with access to or egress from the Colon Railroad Station (in Cristobal) via 11th Street and Front Street and access to or egress from the Panama Railroad Station (in Ancon) via Frangipani Street, Gaillard Highway and Roosevelt Avenue.

(b) Between ports of the Republic of Panama: By vessel transiting the Panama Canal.

(c) Between the city of Panama and west interior points in the Republic of Panama: By vehicle via Balboa Road and La Boca Road, or Shaler Road and Roosevelt Avenue, Thatcher Ferry and Thatcher Highway, to the boundary line at Arraijan.

(d) Between interior points in the Republic of Panama bordering on Madden Road and the Madden Lake area: Via Madden Road.

(e) Between interior points in the Republic of Panama bordering on the Madden Road/Madden Lake area and the cities of Panama and Colon: By vehicle via Madden Road to an intersection with Boyd-Roosevelt Highway.

(f) Between interior points in the Republic of Panama bordering on the Madden Road/Madden Lake area and west interior points in the Republic of Panama: By vehicle via Madden Road, Gaillard Highway, Miraflores Bridge, Bruja Road, and Thatcher Highway to the boundary line at Arraijan.

(g) Between west interior points in the Republic of Panama and the city of Colon or intermediate points in the Republic of Panama: By vehicle via Thatcher Highway to Bruja Road, Miraflores Bridge, Gaillard Highway and Madden Road to its first intersection with Boyd-Roosevelt Highway.

(h) Between any points in Panama involving use of the Colon Corridor: Over Randolph Road at its intersection with Colon Corridor.

(2 C.Z. Code § 142, as amended, 55 Stat. 804)

[SEAL]

W. A. CARTER,
Governor.

DECEMBER 8, 1961.

[F.R. Doc. 61-12075; Filed, Dec. 20, 1961;
8:47 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 94—HIGHWAY TRANSPORTATION

PART 96—AIR TRANSPORTATION

Mail Transportation Regulations

The regulations of the Post Office Department are amended as follows:

I. In Part 94—Highway Transportation, as published in 26 F.R. 11624-11637, make the following changes:

Subpart A—Star Route

§ 94.3 [Amendment]

A. In § 94.3 *Contracts* make the following changes:

1. In paragraph (d) (6), subdivision (iv) is amended to show that bids may be rejected on which there appears as surety the name of a person who is not responsible. As so amended, subdivision (iv) reads as follows:

(d) *Award of contracts.* * * *

(6) *Reservations.* * * *

(iv) Reject bids accompanied by bonds on which there appears as surety the name of a person who is not responsible or who is barred from bidding for any reason.

NOTE: The corresponding Postal Manual section is 521.346d.

2. In paragraph (e) (7), subdivision (iii) (d) is amended by striking out "Trucklines which" and inserting in lieu thereof "Large trucking concerns that". As so amended, subdivision (iii) (d) reads as follows:

(e) *Contractor's responsibilities.* * * *

(7) *For providing carriers* * * *

(iii) *Oaths.* * * *

(d) Large trucking concerns that have contracts to carry mail.

NOTE: The corresponding Postal Manual section is 521.357c(4).

B. In § 94.8 paragraph (c) is amended by redesignating subparagraphs (7) and (8) as subparagraphs (8) and (9) respectively, and by amending subparagraph (5) and inserting a new subparagraph (6) therein, to add regulations on the inspection of star routes and the use of POD Forms 5406 and 5407. As so amended, the subparagraphs read as follows:

§ 94.8 Routes under administration of postmasters.

* * * * *

(c) *Responsibilities and duties of postmasters.* * * *

(5) Make an annual inspection during the month of March of box delivery routes. Report inspection on Form 5406, "Box Delivery Star Route Inspection Report." Prepare in triplicate, send original to transportation requirements and procurement officer and a copy to delivery services officer, and keep a copy.

(6) Make inspection of non-box delivery star routes when directed to do so by the transportation requirements and procurement officer. Report inspection on Form 5407, "Survey of Star Route Service." Prepare in duplicate, submit original to transportation requirements and procurement officer, and keep a copy.

(7) Review contractor's request for readjustment of pay. See Subpart F of this part.

(8) Certify service performed at end of each accounting period to the transportation requirements and procurement officer, on Form 5400, "Report of Service on Star Route." See § 94.7 (b). Include all omitted service and reasons therefor even though previously reported on Form 5177, "Delay to Transit Mail."

NOTE: The corresponding Postal Manual section is 521.83 (e) through (h).

Subpart B—Mail Messenger Service

C. In § 94.13, subparagraph (1) of paragraph (b) is amended to show more

clearly the issuance of and posting time of advertisements for mail messenger service. As so amended, subparagraph (1) reads as follows:

§ 94.13 Establishing service.

* * * * *

(b) *Advertising for service.* (1) When a regular designation is necessary, the transportation requirements and procurement officer will prepare advertisements and forward them to the postmaster at the post office where service is needed. Advertisements will allow at least 10 days posting from the date of receipt until the closing date for bids.

NOTE: The corresponding Postal Manual section is 522.221.

Subpart F—Contract Pay Adjustments

D. § 94.44 is amended for the purpose of clarification to read as follows:

§ 94.44 Requests for adjustment.

The written request must be by the contractor or subcontractor hereafter stated as the requester. It is unlawful for a Government official to encourage such claim. The postmaster shall forward all requests to the distribution and traffic manager.

NOTE: The corresponding Postal Manual section is 526.2.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 6101, 6351-6355, 6401-6403, 6411, 6412, 6419, 6426)

II. In Part 96—Air Transportation, as published in 26 F.R. 11638-11653, make the following changes:

Subpart A—Domestic Air Transportation

A. § 96.1 is amended, among other things, to include an alternate method for computing normal mail load and to clarify existing regulations therein. As so amended, § 96.1 reads as follows:

§ 96.1 Air carriers responsibilities.

(a) *For transporting mail.* Air carriers are required to transport and transfer mail as ordered on dispatch documents and related coding on pouch labels.

(b) *For giving mail priority.* Air carriers are required to give the following priority to mail:

(1) From each point served, the normal mail load for each trip must be given priority of transportation over all other traffic on each trip designated for the transportation of mail. The normal mail load for each trip is determined, at the option of the air carrier, for each day of the week on (i) the basis of the mail dispatched to that trip in the same day of the week for the 5 previous weeks or (ii) basis of the weight of mail carried by the trip on Tuesday, Wednesday, Thursday, and Friday of the preceding week. When a holiday occurs on one of those days, the same day of the second previous week is to be substituted. In either method of computing the average, exclude mail dispatched under unusual conditions. When an air carrier elects to use one of the two methods of computing the average, it must continue to use the selected method on all Forms

2760, "Refusal and/or Removal of Air Mail."

(2) If additional fuel is necessary for a particular trip, the air carrier must allow for its weight when booking other traffic for that trip. No part of the mail load must be displaced by the additional fuel.

(3) Mail in excess of normal must be given priority over all other traffic except revenue passengers with space confirmed prior to knowledge that additional mail would be available. Mail aboard a plane must not be reduced below normal to accommodate local boarding passengers.

(4) Air carriers in the Alaskan Service must provide adequate weight space on all flights to accommodate the normal or expected volume of mail.

(5) In loading, unloading, transferring mail to connecting planes, and delivering mail to the designated postal representative, mail must be given preference over all other cargo (including baggage).

(c) *For protecting mail.* (1) Air carriers are held strictly responsible and accountable for mail in their custody. Mail must not be left exposed on trucks or otherwise subjected to depredation or weather. Every precaution must be taken to protect the mail from fire. Mail handlers must be identified by badges or by distinguishing caps or clothing or must be prepared to exhibit their airline identification cards on request of postal employees concerned.

(2) When an air carrier discovers a pouch damaged so that loss or depredation could result, the air carrier will turn the pouch in to the first possible postal unit for repouching and redispach. Form 2734, "Airmail Exception Record," must accompany the damaged pouch to the postal unit.

(d) *For cooperating with postal inspectors.* Postal inspectors are special representatives of the Postmaster General. All employees of air carriers engaged in the transportation of mail are required to cooperate with and assist inspectors in the performance of their duties which may include the opening of pouches and sacks and the examination of mail therein.

(e) *For providing quarters.* (1) *At air stops.* Air Carriers must furnish adequate and suitable quarters at air stops where necessary for the receipt, dispatch, distribution, and transfer of mail, unless and until otherwise provided by the Post Office Department.

(2) *Location of quarters.* Quarters must be located so as to provide expeditious handling of mail to and from planes. They must also be conveniently accessible to all mail-carrying vehicles.

(3) *Requests for changes in quarters.* Requests by air carriers or by officials of the Postal Service for changes in existing quarters or for the establishment of new quarters must be made through the distribution and traffic manager in the area concerned.

(f) *For obtaining routing from postal unit.* (1) *Interrupted transportation.* When the planned routing of mail is interrupted, the air carrier having possession of the mail will contact the postal unit and obtain routing instructions.

(2) *Overload situations.* When all available mail cannot be transported on

the intended flight, the air carrier confronted with the overload situation must promptly inform postal personnel at the airport mail facility or air stop post office and obtain instructions concerning the priority to be given in loading the mail that can be accommodated. Potential overload situations should be anticipated as much in advance of flight time as possible. Off-loading of mail already on board in order to carry mail for destinations of greater postal service advantage will not be required if this would entail unreasonable delay in the departure of the flight.

(g) *For preparing and submitting schedules.* (1) *Preparation.* Air carriers shall prepare schedules as follows:

(i) Schedules shall be arranged north to south and east to west, with flights listed in chronological order left to right.

(ii) All restrictions on the transportation of mail shall be shown on related schedules and when an air carrier holds certificates for more than one route with parallel service between certain points, any restrictions which apply against one route and not the other must be so identified.

(2) *Submission.* (i) Air carriers shall submit with proposed new schedules a brief explanatory letter or cover sheet detailing proposed changes.

(ii) Copies of changes to existing schedules must be filed with the Post Office Department, Washington 25, D.C., not less than 10 days prior to effective date. The date of filing will be the date of receipt by the Air Transportation Branch, Bureau of Transportation, Washington 25, D.C.

(iii) Air carriers shall distribute copies of proposed new schedules or changes to existing schedules as follows:

(a) Three copies to Air Transportation Branch, Bureau of Transportation, Post Office Department, Washington 25, D.C.

(b) One copy to distribution and traffic manager in each region concerned.

(c) States-Alaska and Intra-Alaska air carriers must send one copy to the Distribution and Traffic Manager, Post Office Department, Seattle 24, Washington.

(3) *Designation of service.* The Regional Director will advise the Air Transportation Branch, Bureau of Transportation, of local service carrier flights that are not needed for the transportation of mail. The Air Transportation Branch will notify the air carriers of flights designated for transportation of the mail, by publishing Post Office Department schedules.

(h) *For answering correspondence.* Air carriers must answer promptly all correspondence from officials of the Postal Service. Correspondence concerning the operation of the Alaskan airmail service must be channeled through the Regional Director, Post Office Department, Seattle 24, Washington.

NOTE: The corresponding Postal Manual section is 531.3.

§ 96.5 [Amendment]

B. In § 96.5 *Submission of claims* make the following changes:

1. Delete paragraph (b) and redesignate paragraphs (c) and (d) as paragraphs (b) and (c), respectively.

2. In redesignated paragraph (c) make the following changes:

a. In the list of regional controllers in subparagraph (1), amend the address of the Regional Controller opposite "Region Number 15" to read "Box 3700, Federal Office Building, Seattle 24, Washington;" and add "Alaska" to the list of states thereunder.

b. Amend subparagraph (3) to read as follows:

(3) *Alaska, Hawaii, Puerto Rico, and Virgin Islands.* Air carriers and those carrying "First Class Mail by Air" will submit Form 2703 and necessary supporting documents for this service to the regional controllers, Post Office Department, designated below:

Paying regional controller	Route No.	Carrier
Atlanta-----	8	Delta.
	31	National.
	59	Caribbean-Atlantic.
	98	Southern.
	121	AAXICO.
Boston-----	27	Northeast.
Cincinnati-----	88	Lake Central.
Dallas-----	9	Braniff.
	81	Central.
	82	Trans-Texas.
	101	Slick.
Denver-----	1	United.
	29	Continental.
	73	Frontier.
Minneapolis-----	3	Northwest.
	86	North Central.
New York-----	4	American.
Philadelphia-----	94	Mohawk.
St. Louis-----	2	Trans World.
	107	Ozark.
San Francisco-----	13	Western.
	33	Hawaiian.
	76	Pacific.
	84	Los Angeles.
	99	Aloha.
	100	Flying Tiger.
	105	Bonanza.
Seattle-----	77	West Coast.
	128	Alaska (Intra Alaska).
	138	Alaska (States Alaska).
	122	Alaska Coastal (Intra Alaska).
	124	Cordova (Intra Alaska).
	125	Ellis (Intra Alaska).
	141	Kodiak.
	126	Northern Consolidated (Intra Alaska).
	142	Pacific Northern (Intra Alaska).
	139	Pacific Northern (States Alaska).
	20	Pan American (States Alaska and first-class mail by air).
	127	Reeve Aleutian (Intra Alaska).
	143	Western Alaska (Intra Alaska).
	123	Wien (Intra Alaska).
Washington (regional controller, Richmond, Va.).	5	Eastern.
	87	Piedmont.
	97	Allegheny.
	120	Riddle.

NOTE: Each air carrier must file with the appropriate regional controller the name of the person or persons authorized to sign the Form 2703.

NOTE: The corresponding Postal Manual section is 531.7.

C. In § 96.7 amend subparagraph (b) for the purpose of clarification to read as follows:

§ 96.7 Correspondence concerning air service.

(b) *Regional matters.* Correspondence to and from air carriers relating to policy matters, airline schedules, opera-

tional matters, fining procedures, quarters, mileages and transport rates, irregularities and changes in dispatch billing procedures and forms, omissions and failures of carriers to perform required service, division of mail between carriers, service requirements, actions involving CAB orders and rulings, first-class mail by air, and other matters of regional nature shall be conducted by the distribution and traffic managers within the scope of regional delegations. Only those matters of these types that are of interregional impact or of departmental concern as specified elsewhere in regulations and those matters which the distribution and traffic manager considers will require departmental decision shall be forwarded to the Post Office Department.

NOTE: The corresponding Postal Manual section is 531.9.

Subpart C—Forms and Procedures for Dispatching Airmail

§ 96.19 [Amendment]

D. In § 96.19 *Form 2729, Airmail Dispatch Record* make the following changes:

1. In paragraph (b) (2), subdivision (v), is amended to clarify the use of origin codes for satellite offices. As so amended, subdivision (v) reads as follows:

(b) *Preparation* * * *

(2) *Trip identification* * * *

(v) *Origin code.* Enter the official airline code of the airport from which the mail is due to be dispatched. When more than one postal unit prepares Form 2729 for dispatch through the same airport, refer to Official Airmail Index for airport codes to be used by each office.

2. In paragraph (b) (3), subdivision (i) (c) is amended to provide for bulk weighing and bulk listing of airmail on dispatch documents. As so amended, subdivision (i) (c) reads as follows:

(b) *Preparation* * * *

(3) *Routing*—(i) *Destination.* * * *

(c) Enter under the proper destination mail which is labeled to that point, mail which is scheduled to continue from that point by surface transportation, and mail for another air carrier when the transfer is to be effected through the airport mail facility. Use the individual actual weights indicated on the labels of pouches, sacks, and outside parcels except where permission has been granted to bulk weigh mail on platform scales direct to the air carrier. Where bulk weighing has been approved, or where bulk entries are to be listed (for example, the recording on the form of a consolidated entry of an accumulation of pieces listed on preliminary work sheets), it is necessary only that the total pieces and weight be entered in the space provided at the bottom of the respective "destination" column. Do not identify pouches, sacks, outside parcels, or register as such on this form.

3. In paragraph (d), subparagraph (3) is amended to eliminate the requirement for entering departure time on POD

Form 2729. As so amended, subparagraph (3) reads as follows:

(d) *Distribution of copies.* * * *

(3) *Fourth copy.* This is the dispatching file copy.

4. Paragraphs (e) and (f) are added to include additional instructions to read as follows:

(e) *Corrections to Form 2729.* Any corrections to Form 2729 shall be made prior to separating and distributing the four parts of the form. Neither postal nor air carrier personnel shall make corrections on any part of Form 2729 after the form has been separated and distributed.

(f) *Departure Time.* Postal units shall spot check actual departure time against Mail Ready time on Form 2729 to assure that unreported delays are not occurring.

NOTE: The corresponding Postal Manual section is 533.1.

E. In § 96.22, a new paragraph (f) is added to prescribe the procedure for reviewing Forms 2734. As so added, paragraph (f) reads as follows:

§ 96.22 Form 2734, Airmail Exception Record.

* * * * *

(f) *Review of Forms 2734.* (1) Postal units shall carefully review all Forms 2734 and, in questionable cases, shall make prompt inquiry to determine that information on the form is complete and that instructions are being followed by air carriers.

(2) When reviewing Forms 2734 postal units shall note recurring irregularities, such as missed connections, and report repetitive irregularities to distribution and traffic manager. When reporting missed connections, postal units shall show origin of the mail, route and trip numbers of delivering trip and route and trip number of the schemed connection.

NOTE: The corresponding Postal Manual section is 533.46.

F. In § 96.24, a new paragraph (c) is added to read as follows:

§ 96.24 Form 2753-a—Mail Delivery Receipt.

* * * * *

(c) *Review.* The receiving clerk on each tour shall review the time shown under Form 2753-A headings "TRIP ARR" and "MAIL TO AMF" to insure that air carriers are observing the local delivery time limit and prepare Form 2759, "Report of Irregular Handling of Airmail," when required.

NOTE: The corresponding Postal Manual section is 533.63.

G. In § 96.26, delete paragraph (c) and amend paragraph (b) for the purpose of clarification to read as follows:

§ 96.26 Applicability of forms and procedures.

* * * * *

(b) *Emergency first-class mail by air.* In the dispatch of first-class mail by air under emergency conditions, the forms described in this Subpart C will be used.

NOTE: The corresponding Postal Manual section is 533.8.

(R.S. 161, as amended, secs. 405, 406, 72 Stat. 760, 763; 5 U.S.C. 22, 39 U.S.C. 501, 6301-6304, 49 U.S.C. 1375, 1376)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 61-12076; Filed, Dec. 20, 1961;
8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 14274 (RM-278); FCC 61-1479]

PART 3—RADIO BROADCAST SERVICES

Certain Television Broadcast Stations; Table of Assignments

In matter of amendment of § 3.606, Table of Assignments, Television Broadcast Stations, (Binghamton and Ithaca, New York, and Wilkes-Barre, Pennsylvania), Docket No. 14274; RM-278.

1. The Commission has before it its notice of proposed rule making (FCC 61-1141), adopted September 20, 1961. The proposal, of Alfred E. Anscombe,¹ would substitute Channel 34 for Channel 56 at Binghamton, New York, by deleting unapplied for UHF assignments at Ithaca, New York, and at Wilkes-Barre, Pennsylvania, as follows:

City	Channel No.	
	Present	Proposed
Binghamton, N.Y.	12-, 40-, *46+, 56+	12-, 34, 40-, *46+
Ithaca, N.Y.	*14+, 20-	*14+
Wilkes-Barre, Pa.	28, 34	28

2. The petitioner is of the view that changing the frequency of Station WBJA-TV from Channel 56 to Channel 34 would significantly aid the station in bringing a third competitive television service to the Binghamton area at this time. He urges that Channel 34 may be assigned to Binghamton now without prejudice to the outcome of the Binghamton deintermixture proceeding in Docket No. 14243, where a proposal to substitute Channel 24 for Channel 12 at Binghamton is under consideration.

3. WBJA-TV, Inc., and American Broadcasting Company filed comments supporting the instant proposal. No opposing comments were received. WBJA-TV assures that if the proposal is adopted and its authorization for Station WBJA-TV is changed to specify Channel 34 instead of Channel 56, it will proceed to inaugurate a new television service in Binghamton at the

¹ Alfred E. Anscombe holds a controlling interest in WBJA-TV, Inc., which is authorized to construct Station WBJA-TV on Channel 56 at Binghamton. We originally granted Anscombe a construction permit for a new station on Channel 56 at Binghamton on April 19, 1961. On October 10, 1961, we granted his application for voluntary assignment of the construction permit to WBJA-TV, Inc. (BAPCT-309).

earliest possible date. It plans to affiliate with ABC. ABC also states that it plans to affiliate with WBJA-TV and make its full network schedule available to the new station. It mentions that at the present time 44 programs offered by the ABC Television Network are not carried in the Binghamton market and 12 others are carried on a delayed basis.

4. This proposal to assign Channel 34 to Binghamton poses no technical or other problem. The Canadian Government has no objection to the proposal, and it conforms domestically with all minimum spacing and other technical requirements. Unless an active interest is manifested we find it desirable in the public interest to defer action on making available substitute channels at Ithaca and Wilkes-Barre until decisions are reached in Docket 14229 concerning the future methods of assigning stations on UHF channels. The proposal does not conflict with the UHF deintermixture proposal which we are considering for Binghamton in Docket No. 14243 to enhance opportunities for more effective competitive television services in this important market.

5. The Commission has consented to the reassignment of lower UHF channels to communities in order to encourage the establishment of additional UHF service. We are of the view that the adoption of the instant proposal would facilitate the establishment of a needed third television service in the Binghamton market at this time and serve the public interest.

6. In the interest of expediting the establishment of a third television service to the public in the Binghamton area, we also believe that Station WBJA-TV's operating frequency should be changed from Channel 56 to Channel 34. Since WBJA-TV has requested that its authorization for Station WBJA-TV be so

modified, it becomes unnecessary to issue a show cause order, its request constituting consent to the modification.

7. The actions herein are taken pursuant to authority found in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

8. In view of the foregoing: *It is ordered*, Effective January 22, 1962, that the Table of Assignments contained in § 3.606 of the Commission's rules and regulations is amended insofar as the communities names are concerned to read as follows:

City	Channel No.
Binghamton, N.Y.	12-, 34, 40-, *46+
Ithaca, N.Y.	*14+
Wilkes-Barre, Pa.	28

9. *It is further ordered*, That the construction permit of WBJA-TV, Inc., for Station WBJA-TV, Binghamton, New York, is modified to specify Channel 34 instead of Channel 56+, subject to the condition that WBJA-TV, Inc., shall submit to the Commission by March 8, 1962, all necessary information for the preparation of a modified permit for Channel 34.

10. *It is further ordered*, That this proceeding is terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1032, 1033; 47 U.S.C. 303, 307; and sec. 316, 66 Stat. 711, 47 U.S.C. 153)

Adopted: December 13, 1961.

Released: December 18, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-12099; Filed, Dec. 20, 1961;
8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 51]

U.S. STANDARDS FOR BERMUDA-GRANEX TYPE ONIONS¹ AND U.S. STANDARDS FOR GRADES OF ONIONS (OTHER THAN BERMUDA-GRANEX AND CREOLE TYPES)¹

Notice of Proposed Rule Making

Notice is hereby given that the United States Department of Agriculture, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-27), is considering a proposal that would make the United States Standards for Bermuda-Granex type onions (7 CFR 51.3195 to 51.3209) applicable to Grano type onions. The Grano variety has previously been covered by the United States Standards for grades of onions (other than Bermuda-Granex and Creole types) (7 CFR 51.2830-51.2850, 26 F.R. 2817).

Statement of considerations leading to the proposed change. Many industry members have recommended that Granex and Grano types of onions be covered by the same grade standards. Present regulations require these varieties to be handled under separate standards which unnecessarily complicates the handling and marketing of the Granex-Grano onion crop. Production of Granex and Grano onions occurs primarily in the same areas requiring functions of harvesting, grading, inspection, regulation and marketing to be constantly performed on the basis of two different standards by the same individuals.

In view of the similarity of the Granex and Grano types, as to varietal characteristics, areas of production, growing conditions, shipping seasons and marketing problems, the proposal, if adopted, should contribute to the orderly grading, inspection and marketing of the Grano variety.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same not later than January 25, 1962 with E. E. Conklin, Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, South Building, Washington 25, D.C.

The proposal, if adopted, will be effectuated by:

¹ Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

1. Amending the heading in the subpart applicable to the United States Standards for Bermuda-Granex type onions (7 CFR 51.3195 to 51.3209), to read as follows:

Subpart—United States Standards for Grades of Bermuda-Granex-Grano Type Onions

2. Amending the heading in the subpart applicable to the United States Standards for Grades of Onions (other than Bermuda-Granex and Creole Types) (7 CFR 51.2830 to 51.2850, 26 F.R. 2817) to read as follows:

Subpart—United States Standards for Grades of Onions (Other Than Bermuda-Granex-Grano and Creole Types)

Dated: December 18, 1961.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 61-12101; Filed, Dec. 20, 1961; 8:50 a.m.]

Agricultural Research Service

[9 CFR Part 17]

LABELING

Proposed Amendment Relating to Barbecued Meats

Notice is hereby given in accordance with section 4(a) of the Administrative Procedure Act (5 U.S.C. 1003(a)) that pursuant to the authority conferred by the Meat Inspection Act, as amended and extended (21 U.S.C. 71-96) and section 306(b) of the Tariff Act of 1930 (19 U.S.C. 1306(b)), it is proposed to amend § 17.8 of the Meat Inspection Regulations (9 CFR 17.8 as amended) as follows, in order to prevent the sale of meat products under false or deceptive names:

1. Paragraph 17.8(c) would be amended by adding a new subparagraph to read:

(58) Barbecued meats shall be cooked by the direct application of dry radiant type heat, the source of which may include the burning of hard wood, hot coals resulting from the burning of hard wood, the burning of charcoal, or the use of electronic devices designed to produce heat primarily in the infrared range. The product shall be cooked for a sufficient period of time to assume the usual characteristics of a barbecued article, which includes the formation of a brown crust on the surface and the rendering of surface fat. The product may be basted with a sauce during the cooking process. The barbecued meat shall not exceed 70 percent by weight of the fresh uncooked meat. When a sauce is added to the finished barbecued meat and the product is to be labeled

as "Pork with Barbecue Sauce" or "Beef with Barbecue Sauce," the product shall comply with subparagraph (48) of this paragraph, in addition to this subparagraph.

A request has been received to use the term "barbecued" in connection with labeling material for meat that has been cooked by the direct application of heat, the source of which is an electric unit that produces infrared heat. This is the same infrared type of heat produced by glowing hard wood coals and it has the same temperature. The use of electronically controlled units makes it possible to produce a more uniform finished product.

Examination of meat cooked by electronically produced infrared heat revealed the product to compare favorably with that cooked over glowing coals.

The purposes of the proposed amendment are to include infrared heat produced by electronic devices with other previously approved cooking methods and to bring into the regulations requirements imposed by the label control program regarding methods of cooking, standards of composition and labeling for barbecued meats.

Any person who wishes to submit written data, views or arguments concerning the proposed amendments may do so by filing them with the Director, Meat Inspection Division, Agricultural Research Service, U.S. Department of Agriculture, Washington 25, D.C., within 30 days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 18th day of December 1961.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 61-12104; Filed, Dec. 20, 1961; 8:51 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Narcotics

[21 CFR Part 307]

NORPETHIDINE (ETHYL 4-PHENYL-4-PIPERIDINECARBOXYLATE)

Proposal To Add to Existing List of the Basic Classes of Narcotic Drugs

Upon the application of Mallinckrodt Chemical Works, Second and Mallinckrodt Streets, St. Louis 7, Missouri, and Merck Chemical Division, Merck & Co., Inc., Rahway, New Jersey, notice is hereby given pursuant to section 6 of the Narcotics Manufacturing Act of 1960 (74 Stat. 61, 21 U.S.C. 504) and 21 CFR 307.71-307.72 that the Commissioner of Narcotics, having determined that it would be consistent with the law and the public health and safety to do so, proposes to add Norpethidine (ethyl 4-

phenyl-4-piperidinecarboxylate) and its salts, which heretofore have been determined to be narcotic drugs as defined in 26 U.S.C. 4731, as amended, to the list of basic classes of narcotic drugs provided in section 3(g) of the Narcotics Manufacturing Act of 1960.

Consideration will be given to any written data, views or arguments pertaining to the proposed addition to the list of basic classes of narcotic drugs which are received by the Commissioner of Narcotics prior to January 23, 1962. Any person desiring to be heard on the proposed addition will be accorded the opportunity of a hearing in the office of the Commissioner of Narcotics, 1300 E Street NW., Washington 25, D.C., at 10:00 o'clock a.m. January 23, 1962, provided that such person furnishes written notice of his desire to be heard to the Commissioner of Narcotics, Washington 25, D.C., not later than 20 days from the publication of this notice in the FEDERAL REGISTER. If no written notice of a desire to be heard shall be received within 20 days from the date of publication of this notice in the FEDERAL REGISTER, no hearing shall be held.

[SEAL] HENRY L. GIORDANO,
Acting Commissioner of Narcotics.

Approved: December 14, 1961.

A. GILMORE FLUES,
*Assistant Secretary of the
Treasury.*

[F.R. Doc. 61-12070; Filed, Dec. 20, 1961;
8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Order No. 690]

ARIZONA STATE DIRECTOR AND THE LAND OFFICE MANAGER

Delegation of Authority With Respect to Issuance of Patents

DECEMBER 14, 1961.

Pursuant to the authority contained in section 1.5 of Order 2583 of the Secretary of the Interior, the Arizona State Director and the Arizona Land Office Manager are authorized to issue patents or their equivalent in the name of the United States for grants of land under the authority of the Government except patents and other conveyances which require the approval or signature of the President of the United States. This delegation shall become effective January 2, 1962.

KARL S. LANDSTROM,
Director.

[F.R. Doc. 61-12068; Filed, Dec. 20, 1961;
8:45 a.m.]

NEVADA

Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 11, 1961.

The Bureau of Sport Fisheries and Wildlife has filed an application, Serial Number Nevada 057944 for the withdrawal of the lands described below, from all forms of appropriation including the mining, but not the mineral leasing laws nor the disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended. The applicant desires the land for the establishment of the Railroad Valley Wildlife Management Area, which will be administered by the Nevada Fish and Game Commission.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 1551, Reno, Nevada.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, NEVADA

T. 7 N., R. 55 E., unsurveyed,
Secs. 1, 2, 3;
Secs. 9 to 16, inclusive;

12224

Secs. 21 to 24, inclusive;
Secs. 27 and 28.
T. 8 N., R. 55 E.,
Sec. 1, SE $\frac{1}{4}$;
Sec. 11, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 12, NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 13;
Sec. 14, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Secs. 22 to 27, inclusive;
Secs. 34, 35 and 36.
T. 8 N., R. 56 E.,
Secs. 1 to 30, inclusive.
T. 9 N., R. 56 E.,
Sec. 25;
Sec. 32, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Secs. 33 to 36, inclusive.
T. 8 N., R. 57 E.,
Sec. 2, Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Secs. 3 to 10, inclusive;
Sec. 11, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Secs. 16 to 22, inclusive;
Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Secs. 28, 29 and 30.
T. 9 N., R. 57 E.,
Secs. 31 to 35, inclusive.

The area described contains approximately 57,093.80 acres.

DANIEL P. BAKER,
Acting State Director.

[F.R. Doc. 61-12069; Filed, Dec. 20, 1961;
8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-189]

AMERICAN RADIATOR AND STANDARD SANITARY CORP.

Notice of Issuance of Utilization Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 1, set forth below, to License No. R-82. The amendment provides an authorization to American Radiator and Standard Sanitary Corporation to modify its UTR Test Reactor located at Mountain View, California, and certain operating procedures as described in its applications for license amendment dated November 6, 1961, and November 21, 1961. The Commission has found that operation of the reactor in accordance with the terms and conditions of the license, as amended, will not present any undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since the conduct of the proposed experiments does not present any substantial changes in the hazards to the health and safety of the public from those presented by the previously approved operation of the reactor.

In accordance with the Commission's "Rules of Practice" (10 CFR Part 2)

the Commission will direct the holding of a formal hearing on the matter of the issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within thirty days after issuance of the license amendment. Petitions for leave to intervene and requests for a formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the AEC's Public Document Room 1717 H Street, Washington, D.C. For further details see (1) the applications for license amendment dated November 6, 1961 and November 21, 1961, submitted by American Radiator and Standard Sanitary Corporation, and (2) a hazards analysis of the proposed operation prepared by the Test and Power Reactor Safety Branch of the Division of Licensing and Regulation, both on file at the AEC's Public Document Room. A copy of item (2) above may be obtained at the AEC's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 13th day of December 1961.

For the Atomic Energy Commission.

M. B. BILES,
Chief, Test and Power Reactor Safety Branch, Division of Licensing and Regulation.

[License No. R-82; Amdt. 1]

License No. R-82, issued to American Radiator and Standard Sanitary Corporation, is hereby amended as below to authorize the changes described in the applications for license amendment dated November 6, 1961, and November 21, 1961:

Paragraph 1 is amended to read as follows:

1. This license applies to the fifteen watt graphite and light water-moderated, nuclear reactor (hereinafter referred to as "the reactor") designated as the "UTR Test Reactor" of the UTR-1 series, which is owned by American Radiator and Standard Sanitary Corporation (hereinafter "American Standard") and located at Mountain View, California, and described in the application dated June 29, 1961, and amendments thereto dated June 30, 1961, July 15, 1961, September 18, 1961, November 6, 1961, and November 21, 1961 (hereinafter collectively referred to as "the application").

This amendment is effective as of the date of issuance.

Date of issuance: December 13, 1961.

For the Atomic Energy Commission.

M. B. BILES,
Chief, Test and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 61-12056; Filed, Dec. 20, 1961;
8:45 a.m.]

[Docket No. 50-114]

WILLIAM MARSH RICE UNIVERSITY
Notice of Issuance of Facility License
Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 4, set forth below, to Facility License No. R-54. The license authorizes William Marsh Rice University to operate its nuclear reactor Model AGN-211, Serial No. 101, located on its campus in Houston, Texas. The amendment adds conditions to the license regarding the responsibilities of the Reactor Supervisor pertaining to operation of the reactor.

The Commission has found that operation of the reactor in accordance with the license, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has further found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, would not present any substantial change in the hazards to the health and safety of the public from those previously considered and evaluated in connection with the previously approved operations.

In accordance with § 2.102(a) of the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of issuance of the license amendment upon receipt of a request therefor from the licensee or a petition to intervene pursuant to § 2.705 of the rules of practice within 30 days after the issuance of the license amendment. Petitions for leave to intervene and requests for a formal hearing shall be filed in accordance with the provisions of § 2.700 of the Commission's rules of practice (10 CFR Part 2).

The licensee's letter dated November 8, 1961, advising that the addition of the conditions to the license is satisfactory may be inspected at the Commission's Public Document Room, 1717 H Street NW., Washington 25, D.C.

Dated at Germantown, Md., this 14th day of December 1961.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
*Acting Chief, Research and
 Power Reactor Safety Branch,
 Division of Licensing and
 Regulation.*

[License No. R-54; Amdt. 4]

License No. R-54, which authorizes William Marsh Rice University to operate its nuclear reactor Model AGN-211, Serial No. 101, located on the University's campus in Houston, Texas, is hereby amended by adding the following additional conditions thereto:

1. The reactor shall not be operated unless William Marsh Rice University has a Reactor Supervisor, or alternate, who has been approved by the Commission.

2. The reactor shall be operated only in accordance with instructions from the Reactor Supervisor or his designated alternate.

This amendment is effective as of the date of issuance.

Date of issuance: December 14, 1961.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
*Acting Chief, Research and Power
 Reactor Safety Branch, Division
 of Licensing and Regulation.*

[F.R. Doc. 61-12057; Filed, Dec. 20, 1961;
 8:45 a.m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 13907-13909; FCC 61-1461]

BLOOMFIELD NON-PROFIT TELE-
VISION ASSOCIATION

Order; Reconsideration

In re applications of Bloomfield Non-Profit Television Association, Bloomfield, New Mexico, Docket No. 13907, File No. BTR-436; Docket No. 13908, File No. BTR-437; Docket No. 13909, File No. BTR-438; for temporary authority to operate three VHF Television Broadcast Repeater Stations.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 13th day of December 1961;

The Commission having under consideration a petition for reconsideration filed on behalf of John P. Cole, Jr., on May 3, 1961, and a brief filed by the Federal Communications Bar Association on October 24, 1961;

It appearing, that petitioner seeks reconsideration of a Commission Memorandum Opinion and Order released April 3, 1961 (FCC 61-406¹; Mimeo. No. 2411) insofar as said Memorandum Opinion and Order struck a pleading filed by Mr. Cole as attorney for Aztec Community TV, Inc., and admonished him from any repetition of pleadings containing similar material; and

It further appearing, that insofar as petitioner requests reconsideration of the striking of his pleading, his request has been rendered moot by virtue of the denial of the applications herein and the termination of the proceeding in a manner consistent with the objectives sought by Aztec;² and

It further appearing, that, upon reconsideration, it would have been preferable to deal with possible admonishment of counsel or other disciplinary action separately from disposition of the pleadings then before us; and

It further appearing, that the ends of justice and sound administrative procedure would, in this instance, be satisfied by the expunging from the Memorandum Opinion and Order of April 3, 1961, the admonitory language toward which the subject petition is directed:

¹ Published 4-6-61, 26 F.R. 2881 (also see FCC 60-1555, published 1-5-61, 26 F.R. 54).

² Initial Decision released June 29, 1961 (Mimeo. No. 7052), which Initial Decision has subsequently become final.

Accordingly, it is ordered, That, to the extent hereinbefore indicated, the petition for reconsideration filed by John P. Cole, Jr., on May 3, 1961, is granted.

Released: December 18, 1961.

FEDERAL COMMUNICATIONS
 COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-12097; Filed, Dec. 20, 1961;
 8:50 a.m.]

[Docket No. 14334 etc., FCC 61M-1974]

MESA MICROWAVE, INC.

Order Following Further Prehearing
Conference

In re applications of Mesa Microwave, Inc., Docket No. 14334, File No. 2843-CL-R-61, for renewal of the license for Station KLH35, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Silverton, Texas; Docket No. 14335, File No. 2844-CL-R-61; for renewal of the license for Station KLH36, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Memphis, Texas; Docket No. 14347, File Nos. 3664-CL-P-61, 3665-CL-P-61, for construction permits to establish stations in the Point-to-Point Microwave Radio Service at Pledger and Rhodes Ranch, Texas.

The Hearing Examiner having under consideration the proceedings at the further prehearing conference in the above-entitled matter held on December 14, 1961, and the agreements of the parties as approved by the Examiner;

It appearing, that counsel for Mesa Microwave, Inc. (Mesa), has advised that his client is taking certain steps which may obviate the need for formal hearing procedures herein, and that he expects to be in a position to file appropriate pleadings and applications with respect thereto no later than January 15, 1962;

It further appearing, that all parties to the proceeding have agreed that, if appropriate pleadings and applications are filed and are deemed acceptable as tendered, it would be appropriate to postpone the hearings herein until such time as the Commission has acted upon the pleadings and applications, but that counsel for the Common Carrier Bureau feels that a period of a few days is essential to afford the Commission's staff sufficient time to review the applications and determine whether they are suitable for acceptance as tendered; and

It further appearing, that should the applicant not be in a position to file proper pleadings or applications this matter should proceed to hearing and decision:

It is ordered, This 14th day of December 1961, that:

(1) The direct case of Mesa, insofar as it is to be presented in the form of sworn written exhibits shall be furnished to the other parties and the Hearing Examiner by February 1, 1962;

(2) Insofar as the direct case of Mesa shall be presented through oral testimony of witnesses, counsel for Mesa

shall, no later than February 1, 1962, advise the other parties and the Examiner of the number of such witnesses and the issues with respect to which each of them will offer oral testimony;

(3) If any of the parties desire to make any motion with respect to the written exhibits of Mesa, they shall advise all other parties and the Examiner in writing no later than February 14, 1962, specifying the exhibit involved and the nature of the motion they propose to make; and

(4) Each of the other parties shall, by February 14, 1962, notify Mesa in writing of the names of the witnesses who have prepared sworn written exhibits whom they desire to cross-examine, with copies of such notification to the Examiner, and Mesa shall make such witnesses available for cross-examination at the hearing:

It is further ordered, That the hearing, heretofore scheduled to commence on January 17, 1962, is hereby rescheduled to commence on March 1, 1962, at 10:00 a.m., at the Offices of the Commission in Washington, D.C.;

It is further ordered, That should Mesa, no later than January 15, 1962, file appropriate pleadings and applications for modification of its current authorizations, the purpose and effect of which might be to obviate the need for formal hearing procedures herein, the Examiner will, unless advised by counsel for the Common Carrier Bureau, no later than January 22, 1962, that the applications as tendered are not acceptable for filing, upon appropriate motion issue an order postponing the hearing scheduled herein to commence on March 1, 1962, without date pending action by the Commission on such applications and pleadings; and

It is further ordered, That the agreements and understandings entered into between the parties concerning the future conduct of the hearing are approved as set forth in the transcript of the further prehearing conference which, to this extent, is incorporated by reference herein.

Released: December 15, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-12098; Filed, Dec. 20, 1961;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Project Nos. 2146, 618, 82, and 2203]

ALABAMA POWER CO.

Order Supplementing Order To Show Cause, Denying Motion To Dismiss and Denying Oral Argument or a Hearing

DECEMBER 13, 1961.

By order issued September 1, 1961, the Commission requested that Alabama Power Company (the Company) show

cause, if any there be: (1) Why the Company should not accept and comply with the Commission's orders of August 4, 1960, as modified on rehearing by Commission orders of September 16, 1960 in Project Nos. 2146 and 618; and (2) why the application of the Company for license for Project No. 2203 should not be dismissed without further proceedings. A reply was filed by the Company on October 2, 1961, in which it moved for dismissal of the show cause order and requested an oral argument or a hearing.

In that reply, the Company stated: "It is the Company's opinion, as is set forth in documents heretofore filed by it with the Commission, that the developments provided for in such amendments were and are not economically feasible because the amendments do not provide the necessary assurance of continued use of waters required for the economic operation of Jordan No. 2 development during the duration of the license under which it was to be included." Although the Company states that it is willing to "negotiate," it did not submit with its reply any proposal for the assurance of continued use of water which it alleges is required for the economic operation of the Jordan No. 2. In order for such proposal to be acceptable it must, of course, include a proposal which would make the Jordan No. 1 development economic as a source of dependable capacity in the system of the Company and in other systems of the area in the event another entity should take over and operate that development under the provisions of section 14 or 15 of the Federal Power Act.

By Order issued August 4, 1960 the Commission authorized amendment of the license for the Mitchell Project No. 82 of Alabama Power Company, so as to permit the installation of concrete buttresses, piers and additional spillway gates in the existing dam, the raising of the power pool from elevation 312 feet to 317 feet, the increasing of the spillway capacity from 248,000 cfs to 500,000 cfs and the construction of a powerhouse addition at the existing dam with an additional generating unit of 65,000 kw installed capacity. In its order the Commission stated that the capital investment for the above changes in the project works of Project No. 82 is estimated to be \$10,256,000 and the net annual benefits are estimated to amount to \$293,000 (24 FPC 115, 116). The redevelopment proposed for Mitchell Project No. 82 would increase the dependable capacity of the project from 70,500 to 133,000 kw or an increase of 62,500 kw of dependable capacity. It would increase the annual energy from 399.4 to 518.6 million kilowatt hours, or an increase of 119.2 million kilowatt hours.

The license for Project No. 82 expires in 1971. In its application for rehearing on the August 4, 1960 order, the Company stated, among other things, that it would not be economically feasible for it to accept the amendment because it would have only a short period of assured enjoyment of the substantial investment it

would be required to make in the proposed redevelopment. In its order of September 16, 1960, the Commission granted the application for rehearing in Project No. 82 and stayed its order issued August 4, 1960 pending further order of the Commission.

The Commission has not undertaken to amend the licenses for Project Nos. 2146, 618, and 82 without the consent of the Company. See, *Alabama Power Co., v. FPC*, 291 F. 2d 558. However, it appears that the request of the Company for an oral argument or a hearing is inconsistent with its theory that the licenses could be amended only with the consent of the Company, in that neither an oral argument nor a hearing is an appropriate place to "negotiate" for an amendment of a license. Moreover, the Company has not shown good cause for a dismissal of the order to show cause issued September 1, 1961.

The Commission finds: It is appropriate and in the public interest that this proceeding be supplemented to include Mitchell Project No. 82, that the Company be given further opportunity to submit a plan or proposal for the operation of the Jordan No. 1 and Jordan No. 2 developments, and that the aforesaid motion for dismissal of the show cause order of September 1, 1961 and request for oral argument or hearing be denied.

The Commission orders:

(A) The aforesaid motion for dismissal of the Show Cause order issued September 1, 1961 and for oral argument or hearing, is denied.

(B) Alabama Power Company shall, within thirty (30) days from the date of issuance of this order, show cause, if any there be (1) why and to what extent the aforesaid estimated net annual benefits in the amount of \$293,000 resulting from the aforesaid changes in Project No. 82, are erroneous, and (2) why and to what extent it would not otherwise be economically feasible for it to accept the amendment of license for Project No. 82 provided in the order of August 4, 1960.

(C) The Company is requested to file, within thirty (30) days from issuance of this order, a plan or proposal for the assurance of continued use of water required for the economic operation of Jordan No. 2 development, which if adopted, would make the Jordan No. 1 development economic as a source of dependable capacity in the system of the Company and in other systems in the area in the event some other entity should take over and operate the latter development in accordance with the provisions of section 14 or 15 of the Act.

(D) Further action by the Commission in this proceeding will be held in abeyance pending the filing of data as provided in paragraphs (B) and (C) of this order and pending consideration of such data by the Commission.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-12062; Filed, Dec. 20, 1961;
8:45 a.m.]

[Docket No. CP62-74]

HOUSTON TEXAS GAS AND OIL CORP.**Notice of Application and Date of Hearing**

DECEMBER 15, 1961.

Take notice that on September 22, 1961, Houston Texas Gas and Oil Corporation (Applicant), Post Office Box 10400, St. Petersburg 33, Florida, filed an application, as supplemented on November 2, 1961, in Docket No. CP62-74, pursuant to section 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain gas pipeline facilities in order to sell and deliver natural gas on a firm and interruptible basis to two new direct industrial customers in the Port Tampa area, Florida, all as more fully set forth in the application, as supplemented, on file with the Commission and open to public inspection.

Applicant proposes to construct and operate approximately 6.1 miles of 4-inch lateral pipeline extending from a point of interconnection with its 8-inch lateral, serving the Bartow Plant of the Florida Power Corporation, Pinellas County, Florida, and across Old Tampa Bay to the industrial plants of National Gypsum Company (Gypsum) and Tiffany Tile Corporation (Tiffany), together with metering and regulating facilities. Applicant states that Gypsum will use natural gas in the processes of drying and calcining of gypsum rock and in the drying of gypsum board, and that Tiffany will use natural gas for firing kilns in the process of manufacturing glazed ceramic tile. The application shows that both Gypsum and Tiffany prefer natural gas in their manufacturing processes because of fuel economy, improved quality of finished products and increased plant productivity.

Pursuant to contracts entered into with the two industrial customers, Applicant will sell and deliver the following maximum daily quantities of natural gas:

	<i>Therms</i>
Gypsum, preferred interruptible.....	35,800
Tiffany:	
Firm.....	820
Preferred interruptible.....	5,860

The estimated cost of the proposed construction of facilities is \$300,000, which cost, Applicant states, will be financed from internally generated funds.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 11, 1962, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington,

D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 5, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-12063; Filed, Dec. 20, 1961;
8:45 a.m.]

[Docket No. CI62-627]

HUMBLE OIL & REFINING CO.**Order To Show Cause and Fixing Date for Hearing**

DECEMBER 13, 1961.

It has come to the attention of the Commission (through published reports in various journals of the oil and gas industry) that Humble Oil & Refining Company (Humble), a natural-gas company heretofore found subject to the jurisdiction of the Federal Power Commission (14 FPC 1193), has announced a plan to acquire the assets of Olin Oil & Gas Corporation (Olin Oil & Gas) through an exchange of stock for the assets of the latter company. It appears that a vote by the stockholders of Olin Oil & Gas to consummate the proposed transfer of assets to Humble is imminent.

Olin Oil & Gas Corporation is a Delaware corporation with its principal place of business at 1700 Commerce Building, New Orleans, Louisiana. On December 29, 1953, Olin Oil & Gas acquired the entire capital stock of Olin Interstate Corporation, a natural-gas transmission company (17 FPC 686), which subsequently changed its name to Olin Gas Transmission Corporation (Olin Gas Transmission). Olin Gas Transmission is engaged in the interstate transportation and sale of natural gas subject to the jurisdiction of the Federal Power Commission and is a wholly-owned subsidiary of Olin Oil & Gas. (17 FPC 697.)

Section 7(c) of the Natural Gas Act provides that "No natural-gas company * * * shall engage in the transportation or sale of natural gas, subject to the jurisdiction of the Commission, or undertake the construction or extension of any facilities therefor, or acquire or operate any such facilities * * * unless there is in force with respect to such natural-gas company a certificate of public convenience and necessity." The pro-

posed acquisition by Humble of the facilities of Olin Gas Transmission through the purchase of the assets of Olin Oil & Gas may be subject to the Commission's jurisdiction under section 7(c) of the Act.¹

Humble has not filed any application pursuant to Section 7 of the Natural Gas Act for permission to acquire the facilities of Olin Gas Transmission, which acquisition will result from the exchange of stock between Humble and Olin Oil & Gas.

The Commission finds: It is necessary and appropriate in the public interest and for the purpose of carrying out the provisions of the Natural Gas Act, particularly section 7 thereof, that proceedings be instituted by the Commission, on its own motion, requiring Humble Oil & Refining Company to show cause, if any there be, why it should not be required to comply with the provisions of the Natural Gas Act and why it should not file an application pursuant to section 7(c) thereof to acquire by stock ownership the facilities of Olin Gas Transmission.

The Commission orders:

(A) Humble Oil & Refining Company shall show cause, if any there be, at the hearing directed in paragraph (B) hereof, why it should not be required forthwith to comply with all of the provisions of the Natural Gas Act, including, particularly, section 7(c) thereof and why it should not file an application for a certificate of public convenience and necessity to acquire by stock ownership the facilities of Olin Gas Transmission.

(B) Pursuant to the authority contained in, and subject to the authority conferred upon the Federal Power Commission by the Natural Gas Act, including particularly sections 7, 14, 15, and 16, and the Commission's rules and regulations under that Act, a public hearing shall be held commencing March 27, 1962 at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved and the issues presented in this proceeding, as set forth in paragraph (A) hereof.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-12065; Filed, Dec. 20, 1961;
8:45 a.m.]

[Docket No. RI62-217]

J. M. HUBER CORP.**Order Providing for Hearing on and Suspension of Proposed Change in Rate**

DECEMBER 13, 1961.

On November 13, 1961, J. M. Huber Corporation (Huber) ² tendered for filing a proposed change in its presently effective rate schedule for sale of natural

¹ Cf., *People of the State of California v. F.P.C. and El Paso Natural Gas Company* (No. 15887 in USCA, DC) decided March 30, 1961.

² Address: 2401 East Second Avenue, Denver 6, Colo.

gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated November 10, 1961.

Purchaser and producing area: Northern Natural Gas Co. (W. Panhandle Field, Hutchinson and Carson Counties, Tex.) R.R. District No. 10).

Rate schedule designation: Supplement No. 8 to Huber's FPC Gas Rate Schedule No. 2. *Effective date:* December 14, 1961 (stated effective date is the effective date proposed by Huber).

Proposed rate: 11.54161 cents per Mcf.

Effective rates: 11.0 cents per Mcf.

Annual increase: \$9.424.

Pressure base: 14.65 psia.

The proposed rate exceeds the applicable area price level as set forth in the Commission's Statement of General Policy No. 61-1 and the amendments thereto.

The proposed increased rate may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 8 to Huber's FPC Gas Rate Schedule No. 2 be suspended and the use thereof deferred as herein-after ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 8 to Huber's FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until May 14, 1962, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 2, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-12064; Filed, Dec. 20, 1961; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1470]

ALASKA-NORTH AMERICAN INVESTMENT CO.

Notice of Filing of Application for Order of Exemption To Permit Purchase of Securities During Underwriting

DECEMBER 14, 1961.

Notice is hereby given that the Alaska-North American Investment Company ("Applicant") (1816 Jefferson Place NW., Washington, D.C.), has filed an application pursuant to section 10(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 10(f) of the Act, the proposed purchase by the Applicant of 1,000 shares of common stock of the United Servomation Corp. ("USC") which is a portion of a 355,000 share offering of \$1.00 par value capital stock expected to be offered to the public as soon as the registration statement on Form S-1 filed on September 22, 1961, of USC shall be made effective pursuant to the Securities Act of 1933.

Auchincloss, Parker & Redpath is a member of the underwriting group which is offering the securities on a firm commitment basis. Milton Lyons is a partner of that firm and he is also a director of Applicant.

The exemption contained in Rule 10f-3 promulgated under the Act may not be available since the sales commission applicable to the offering may exceed 7 percent of the public offering price. Applicant will pay the public offering price in effect on the first full day of the offering. The price has not been fixed but it is expected that it will not exceed \$18.00 per share.

Section 10(f) of the Act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting syndicate, any security (except a security of which such company is the issuer) a principal underwriter of which is a person of which a director of such registered investment company is an affiliated person. The Commission may exempt a transaction from this prohibition if and to the extent that such exemption is consistent with the protection of investors. Since one of the Applicant's directors is an affiliated person of a firm in the group offering the stock, the purchase thereof by Applicant is subject to the provisions of section 10(f) of the Act.

The application states that the proposed investment in USC would be a desirable and suitable investment for the Applicant, that the purchase will be made through non-affiliated members of the underwriting group, that the amount proposed to be purchased will not exceed 3 percent of the total common stock being offered by USC and that the

amount paid will not exceed 3 percent of Applicant's total assets.

Notice is further given that any interested person may, not later than December 29, 1961, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) should be filed contemporaneously with the request. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 61-12077; Filed, Dec. 20, 1961; 8:47 a.m.]

[File No. 1-3848]

APEX MINERALS CORP.

Order Summarily Suspending Trading

DECEMBER 15, 1961.

The common stock, \$1.00 par value, of Apex Minerals Corporation, being listed and registered on the San Francisco Mining Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange:

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the San Francisco Mining Exchange

be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, December 17, 1961, to December 26, 1961, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 61-12078; Filed, Dec. 20, 1961;
8:47 a.m.]

[File No. 812-1468]

UNITED FUNDS, INC.

Notice of Filing of Application for Order for Exemption To Permit Pur- chase of Securities During Under- writing

DECEMBER 14, 1961.

Notice is hereby given that United Funds, Inc. ("Applicant") (20 West Ninth Street, Kansas City 6, Mo.), has filed an application pursuant to section 10(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 10(f) of the Act and Rule 10f-3 thereunder, the proposed purchase by the Applicant of up to 20,000 outstanding shares of Common Stock of Russell Stover Candies, Inc. ("Russell Stover"), which is a portion of a secondary 130,000 share offering of \$1.00 par value capital stock expected to be offered to the public as soon as the registration statement, Form S-1, filed November 1, 1961, of Russell Stover shall be made effective pursuant to section 8(a) of the Securities Act of 1933.

Harriman Ripley & Co., Incorporated and Stern Brothers & Co. are the principal underwriters of the issue on a firm commitment basis. Paulen E. Burke, affiliated with Barret Fitch North & Company, one of the underwriters, is also a director of the Applicant.

The exemption provided by Rule 10f-3 of the rules and regulations promulgated under the Act is unavailable since the proposed purchase of 20,000 shares of the 130,000 shares offering will be in excess of the said Rule's limitation of exempted purchases to 3 percent of the amount of the offering. The price to be paid will be equal to the public offering price in effect on the first full day of the offering.

Section 10(f) of the Act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer) a principal underwriter of which is a person of which a director of such registered investment company is an affiliated person. The Commission may exempt a transaction from this prohibition if and to the extent that such exemption is consistent with the protection of investors. Since one of the Applicant's directors is an affiliated person of one of the underwriters offering the stock, the purchase thereof by the Applicant is subject to the provisions of section 10(f) of the Act.

The Applicant in support of its application asserts that the proposed investment in Russell Stover is consistent with Applicant's investment objectives and policies and is not proposed for the purpose of stimulating the market in Russell Stover securities or for the purpose of relieving the underwriters of securities otherwise unmarketable, that the terms of the purchase, if consummated, are fair and reasonable, that the amount paid will not exceed 3 percent of the Applicant's total assets, and that, except for the 3 percent limitation of Rule 10f-3(d), the purchase will meet all requirements of said rule.

Notice is further given that any interested person may, not later than December 29, 1961 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) should be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 61-12079; Filed, Dec. 20, 1961;
8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-X-8
(Rev. 3)]

BRANCH MANAGER, LITTLE ROCK, ARKANSAS

Delegation Relating to Financial As- sistance, Procurement and Techni- cal Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Deputy Regional Director by Delegation of Authority No. 30-X-19, Revision 1, dated October 13, 1961, (26 F.R. 10717), there is hereby redelegated to the Branch Manager, Little Rock Branch Office, Small Business Administration, the authority:

A. *Financial assistance.* 1. To approve or decline direct business loans in an amount not exceeding \$20,000.

2. To approve or decline participation business loans in an amount not exceeding \$100,000.

3. To approve or decline disaster loans in an amount not exceeding \$50,000.

4. To approve or decline limited loan participation loans.

5. To approve or decline Simplified Bank Loan Participation loans in an amount not exceeding \$150,000.

6. To approve or decline Small Loans in an amount not exceeding \$12,000.

7. To disburse approved loans.

8. To enter into Business Loan and Disaster Loan Participation Agreements with banks.

9. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By _____,

(Name)

Branch Manager.

10. To cancel, reinstate, modify and amend authorizations for business or disaster loans (within the above amount standards).

11. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

12. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

13. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing.

14. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of \$100,000.

B. *Procurement and technical assistance.* (1) To: (a) Determine joint set-asides for Government procurements and sales; (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established interagency policy agreements.

C. *Administrative.* (1) To administer oaths of office.

(2) To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

(3) To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

(4) To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

II. The specific authority delegated in I.A. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Little Rock, Arkansas, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: October 13, 1961.

JAMES R. WOODALL,
Deputy Regional Director, Small
Business Administration, Re-
gion X.

[F.R. Doc. 61-12080; Filed, Dec. 20, 1961;
8:47 a.m.]

[Delegation of Authority No. 30-X-18
(Rev. 2)]

BRANCH MANAGER, LUBBOCK, TEXAS

Delegation Relating to Financial As- sistance, Procurement and Techni- cal Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Deputy Regional Director by Delegation of Authority No. 30-X-19, Revision 1, dated October 13, 1961 (26 F.R. 10717), there is hereby redelegated to the Branch Manager, Lubbock Branch Office, Small Business Administration, the authority:

A. *Financial assistance.* 1. To approve or decline direct business loans in an amount not exceeding \$20,000.

2. To approve or decline participation business loans in an amount not exceeding \$100,000.

3. To approve or decline disaster loans in an amount not exceeding \$50,000.

4. To approve or decline limited loan participation loans.

5. To approve or decline Simplified Bank Loan Participation loans in an amount not exceeding \$150,000.

6. To approve or decline Small Loans in an amount not exceeding \$12,000.

7. To disburse approved loans.

8. To enter into Business Loan and Disaster Loan Participation Agreements with banks.

9. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By _____,
(Name)
Branch Manager.

10. To cancel, reinstate, modify and amend authorizations for business or disaster loans (within the above amount standards).

11. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

12. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

13. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing.

14. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of \$100,000.

B. *Procurement and technical assistance.* (1) To: (a) Determine joint set-asides for Government procurements and sales; (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established interagency policy agreements.

C. *Administrative.* (1) To administer oaths of office.

(2) To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

(3) To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

(4) To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

II. The specific authority delegated in I.A. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Lubbock, Texas, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: October 13, 1961.

JAMES R. WOODALL,
Deputy Regional Director, Small
Business Administration, Re-
gion X.

[F.R. Doc. 61-12081; Filed, Dec. 20, 1961;
8:48 a.m.]

[Delegation of Authority No. 30-X-9,
(Rev. 3)]

BRANCH MANAGER, SAN ANTONIO, TEXAS

Delegation Relating to Financial As- sistance, Procurement and Techni- cal Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Deputy Regional Director by Delegation of Authority No. 30-X-19, Revision 1, dated October 13, 1961 (26 F.R. 10717), there is hereby redelegated to the Branch Manager, San Antonio Branch Office, Small Business Administration, the authority:

A. *Financial assistance.* 1. To approve or decline direct business loans in an amount not exceeding \$20,000.

2. To approve or decline participation business loans in an amount not exceeding \$100,000.

3. To approve or decline disaster loans in an amount not exceeding \$50,000.

4. To approve or decline limited loan participation loans.

5. To approve or decline Simplified Bank Loan Participation loans in an amount not exceeding \$150,000.

6. To approve or decline Small Loans in an amount not exceeding \$12,000.

7. To disburse approved loans.

8. To enter into Business Loan and Disaster Loan Participation Agreements with banks.

9. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By _____,
(Name)
Branch Manager.

10. To cancel, reinstate, modify and amend authorizations for business or disaster loans (within the above amount standards).

11. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

12. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

13. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing.

14. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of \$100,000.

B. *Procurement and technical assistance.* (1) To: (a) Determine joint set-asides for Government procurements and sales; (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established interagency policy agreements.

C. *Administrative.* (1) To administer oaths of office.

(2) To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

(3) To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

(4) To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

II. The specific authority delegated in I.A. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, San Antonio, Texas, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: October 13, 1961.

JAMES R. WOODALL,
Deputy Regional Director, Small
Business Administration, Re-
gion X.

[F.R. Doc. 61-12082; Filed, Dec. 20, 1961;
8:48 a.m.]

[Delegation of Authority No. 30-X-5
(Rev. 3)]

**BRANCH MANAGER, HOUSTON,
TEXAS**

**Delegation Relating to Financial As-
sistance, Procurement and Techni-
cal Assistance and Administrative
Functions**

I. Pursuant to the authority delegated to the Deputy Regional Director by Delegation of Authority No. 30-X-19, Revision 1, dated October 13, 1961 (26 F.R. 10717), there is hereby redelegated to the Branch Manager, Houston Branch Office, Small Business Administration, the authority:

- A. *Financial assistance.* 1. To approve or decline direct business loans in an amount not exceeding \$20,000.
2. To approve or decline participation business loans in an amount not exceeding \$100,000.
3. To approve or decline disaster loans in an amount not exceeding \$50,000.
4. To approve or decline limited loan participation loans.
5. To approve or decline Simplified Bank Loan Participation loans in an amount not exceeding \$150,000.
6. To approve or decline Small Loans in an amount not exceeding \$12,000.
7. To disburse approved loans.
8. To enter into Business Loan and Disaster Loan Participation Agreements with banks.
9. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By _____
(Name)
Branch Manager.

10. To cancel, reinstate, modify and amend authorizations for business or disaster loans (within the above amount standards).
11. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
12. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.
13. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing.
14. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of \$100,000.

B. *Procurement and technical assistance.* (1) To: (a) Determine joint set-asides for Government procurements and sales; (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.

No. 245—4

C. *Administrative.* (1) To administer oaths of office.

(2) To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

(3) To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

(4) To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

II. The specific authority delegated in I.A. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Houston, Texas, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: October 13, 1961.

JAMES R. WOODALL,
Deputy Regional Director, Small
Business Administration, Re-
gion X.

[F.R. Doc. 61-12083; Filed, Dec. 20, 1961;
8:48 a.m.]

[Delegation of Authority No. 30-X-6
(Rev. 3)]

**BRANCH MANAGER, NEW ORLEANS,
LA.**

**Delegation Relating to Financial As-
sistance, Procurement and Techni-
cal Assistance and Administrative
Functions**

I. Pursuant to the authority delegated to the Deputy Regional Director by Delegation of Authority No. 30-X-19, Revision 1, dated October 13, 1961 (26 F.R. 10717) there is hereby redelegated to the Branch Manager, New Orleans Branch Office, Small Business Administration, the authority:

- A. *Financial assistance.* 1. To approve or decline direct business loans in an amount not exceeding \$20,000.
2. To approve or decline participation business loans in an amount not exceeding \$100,000.
3. To approve or decline disaster loans in an amount not exceeding \$50,000.
4. To approve or decline limited loan participation loans.
5. To approve or decline Simplified Bank Loan Participation loans in an amount not exceeding \$150,000.
6. To approve or decline Small loans in an amount not exceeding \$12,000.
7. To disburse approved loans.
8. To enter into Business Loan and Disaster Loan Participation Agreements with banks.
9. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By _____
(Name)
Branch Manager.

10. To cancel, reinstate, modify and amend authorizations for business or dis-

aster loans (within the above amount standards).

11. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

12. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

13. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing.

14. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of \$100,000.

B. *Procurement and technical assistance.* (1) To: (a) Determine joint set-asides for Government procurements and sales; (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.

C. *Administrative.* (1) To administer oaths of office.

(2) To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

(3) To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

(4) To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

II. The specific authority delegated in I.A. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, New Orleans, La., is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: October 13, 1961.

JAMES R. WOODALL,
Deputy Regional Director, Small
Business Administration, Re-
gion X.

[F.R. Doc. 61-12084; Filed, Dec. 20, 1961;
8:48 a.m.]

[Delegation of Authority No. 30-X-7
(Rev. 4)]

**BRANCH MANAGER, OKLAHOMA
CITY, OKLA.**

**Delegation Relating to Financial As-
sistance, Procurement and Techni-
cal Assistance and Administrative
Functions**

I. Pursuant to the authority delegated to the Deputy Regional Director by Delegation of Authority No. 30-X-19, Revision 1, dated October 13, 1961 (26 F.R.

10717), there is hereby redelegated to the Branch Manager, Oklahoma City Branch Office, Small Business Administration, the authority:

A. *Financial assistance.* 1. To approve or decline direct business loans in an amount not exceeding \$20,000.

2. To approve or decline participation business loans in an amount not exceeding \$100,000.

3. To approve or decline disaster loans in an amount not exceeding \$50,000.

4. To approve or decline limited loan participation loans.

5. To approve or decline Simplified Bank Loan Participation loans in an amount not exceeding \$150,000.

6. To approve or decline Small Loans in an amount not exceeding \$12,000.

7. To disburse approved loans.

8. To enter into Business Loan and Disaster Loan Participation Agreements with banks.

9. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By _____,
(Name)
Branch Manager.

10. To cancel, reinstate, modify and amend authorizations for business or disaster loans (within the above amount standards).

11. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

12. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

13. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance in connection with construction loans and loans involving accounts receivable and inventory financing.

14. To take all necessary actions to effect the servicing, administration and collection of all current loans having an outstanding balance not in excess of \$100,000.

B. *Procurement and technical assistance.* (1) To: (a) Determine joint set-asides for Government procurements and sales; (b) determine the need for representation at procurement and disposal centers; and (c) develop with Government procurement and disposal agencies required local procedures for implementing established inter-agency policy agreements.

C. *Administrative.* (1) To administer oaths of office.

(2) To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

(3) To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

(4) To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

II. The specific authority delegated in I. A. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Oklahoma City, Oklahoma, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: October 13, 1961.

JAMES R. WOODALL,
*Deputy Regional Director, Small
Business Administration, Region X.*

[F.R. Doc. 61-12085; Filed, Dec. 20, 1961;
8:48 a.m.]

[Delegation of Authority No. 30-X-29]

MANAGER, DISASTER FIELD OFFICE, BAY CITY, TEXAS

Delegation Rescission

Notice is hereby given that this delegation (26 F.R. 10084) is rescinded in its entirety.

(Disaster Field Office closed effective December 15, 1961)

Effective date: December 15, 1961.

JAMES R. WOODALL,
*Acting Regional Director,
Dallas Regional Office.*

[F.R. Doc. 61-12086; Filed, Dec. 20, 1961;
8:48 a.m.]

[Delegation of Authority No. 30-X-28]

MANAGER, DISASTER FIELD OFFICE, GALVESTON, TEXAS

Delegation Rescission

Notice is hereby given that this delegation (26 F.R. 10084) is rescinded in its entirety.

(Disaster Field Office closed effective December 8, 1961)

Effective date: December 8, 1961.

JAMES R. WOODALL,
*Acting Regional Director,
Dallas Regional Office.*

[F.R. Doc. 61-12087; Filed, Dec. 20, 1961;
8:48 a.m.]

[Delegation of Authority No. 30-X-27]

MANAGER, DISASTER FIELD OFFICE, SBA, PORT ARTHUR, TEXAS

Delegation Rescission

Notice is hereby given that this delegation (26 F.R. 10083) is rescinded in its entirety.

(Disaster Field Office closed November 28, 1961)

Effective date: November 28, 1961.

JAMES R. WOODALL,
*Acting Regional Director,
Dallas Regional Office.*

[F.R. Doc. 61-12088; Filed, Dec. 20, 1961;
8:48 a.m.]

[Delegation of Authority No. 30-X-30]

MANAGER, DISASTER FIELD OFFICE, PORT LAVACA, TEXAS

Delegation Rescission

Notice is hereby given that this delegation (26 F.R. 10084) is rescinded in its entirety.

(Disaster Field Office closed effective December 8, 1961)

Effective date: December 8, 1961.

JAMES R. WOODALL,
*Acting Regional Director,
Dallas Regional Office.*

[F.R. Doc. 61-12089; Filed, Dec. 20, 1961;
8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 579]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 18, 1961.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 64390. By order of December 8, 1961, the Transfer Board approved the transfer to Harry Egbert, doing business as Egbert Messenger Service, Philadelphia, Pa., of Permit in No. MC 101737 Sub 2, issued February 23, 1956, to Lavon Battle, doing business as Interstate Messenger Service, Philadelphia, Pa., authorizing the transportation of: Type for advertisements, cuts of illustrations, advertising plates, press advertising paper mats, proofs and reprints of advertisements, and other articles of graphic arts and advertising matters when used in making advertising proof, between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., Wilmington, Del., Baltimore, Md., and Washington, D.C., and from New York, N.Y., to Wilmington, Del., and Baltimore, Md. William E. Zeiter, 2107 Fidelity Philadelphia Trust Building, Philadelphia 9, Pa., attorney for applicants.

No. MC-FC 64410. By order of December 12, 1961, the Transfer Board approved the transfer to Lakehead Freightways Limited, Port Arthur, Ontario, Canada, of Certificate in No. MC 101291, issued March 24, 1960, to Jack H. Edwards Transportation Limited, Port Frances, Ontario, Canada, authorizing

the transportation of: Wrapping paper, paper cores, general commodities, household goods, lumber, and rejected or refused shipments of lumber from, to, or between the boundary of the United States and Canada at International Falls, Minn., and specified points in Minnesota. Alan Foss, 502 First National Bank Building, Fargo, N. Dak., attorney for applicants.

No. MC-FC 64426. By order of December 8, 1961, the Transfer Board approved the transfer to Lewis Trucking Co., Inc., Wallington, N.J., of Permit in No. MC 30239, issued October 9, 1958, to John W. Lewis, Wilbur W. Lewis, and Robert S. Lewis, a partnership, doing business as Lewis Trucking, Wallington, N.J., authorizing the transportation of: Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, between points in a specified part of New Jersey, Pennsylvania, and New York, and fruits, vegetables, farm products, poultry, and sea food, from points in Ulster County, N.Y., and points in Hunterdon County, N.J., to points in a specified part of New Jersey, New York, and Pennsylvania. John M. Zachara, P.O. Box 2860, Paterson 28, N.J., representative for applicants.

No. MC-FC 64487. By order of December 11, 1961, the Transfer Board approved the transfer to Garrison Van & Warehouse Corp., Inc., 5529 First Avenue, South, Birmingham, Ala., of Certificate No. MC 60787, issued July 3, 1953, to O. J. Garrison, Jr., doing business as Hood-Garrison Van & Storage Co., Birmingham, Ala., authorizing the transportation of: household goods, between Birmingham, Ala., and points within 20 miles thereof, on the one hand, and, on the other, points in Florida, and between points in Alabama and Florida, on the one hand, and, on the other, points in Georgia, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Ohio, Tennessee, Michigan, Texas, Oklahoma, Arkansas, New York, New Jersey, and the District of Columbia.

No. MC-FC 64525. By order of December 8, 1961, the Transfer Board approved the transfer to Ida C. Andersen, Kenneth G. Andersen, Thomas R. Andersen, Dorothy E. Carvelli, Marjorie E. Nelsen, and Robert O. Andersen, Paul Andersen, and Janice Andersen, Marcella Anderson, Guardian, doing business as North St. Paul Transfer, 2460 East 13th Avenue, North St. Paul, Minn., of the operating rights in Certificate No. MC 26789, issued May 2, 1941, to Otto S. Andersen, doing business as North St. Paul Transfer, 2460 East 13th Avenue, North St. Paul, Minn., authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and other specified commodities, over irregular routes, between points in Minneapolis and St. Paul, Minn., on the one hand, and, on the other, North St. Paul, Minn., and points in Minnesota within 15 miles of North St. Paul.

No. MC-FC 64581. By order of December 8, 1961, the Transfer Board approved the transfer to Ford's Express

and Transfer Co., Inc., Lyndhurst, N.J., of Certificate No. MC 67141, issued February 3, 1959, to Michael James Bianculli and Patrick Ralph Bianculli, Jr., a partnership, doing business as Ford's Express and Transfer Co., Lyndhurst, N.J., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between points in Bergen, Essex, Hudson, Morris, Passaic, and Union Counties, N.J., on the one hand, and, on the other, New York, N.Y. Bowes and Millner, 1060 Broad Street, Newark 2, N.J., attorneys for applicants.

MC-FC 64614. By order of December 8, 1961, the Transfer Board approved the transfer to Harrison Dispatch Co., Inc., Lynn, Mass., of Certificate No. MC 42758, issued May 21, 1941, to Yolanda M. Reid, doing business as Bee Line Express, Danvers, Mass., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Boston, Cambridge, Somerville, Everett, Chelsea, Revere, Lynn, Salem, Beverly, Peabody and Danvers, Mass. John M. Fogarty, 23 Central Avenue, Lynn, Mass., attorney for applicants.

MC-FC 64668. By order of December 8, 1961, the Transfer Board approved the transfer to Jessie's Inc., Opelousas, La., of Certificates Nos. MC 116339 and MC 116339 Sub 3, issued December 16, 1958, and August 22, 1960, to J & M Enterprises, Inc., Opelousas, La., authorizing the transportation, over irregular routes, of salt (other than table salt), from Jefferson Island, Avery Island, and Weeks Island, La., to points in Alabama, Georgia, and Florida; animal and poultry feed, from Chicago, Ill., to points in Florida, Georgia, and Alabama (except Birmingham, Ala., and points within 65 miles thereof); from Lexington, Ky., to points in Alabama, Florida, and Georgia; and from Cartersville, Ga., to points in Florida and Alabama (except Birmingham, Ala., and points within 65 miles thereof); and, pepper, in mixed truckloads with salt (including table salt), and table salt, in packages or containers, from Jefferson Island, Avery Island, and Weeks Island, La., to points in Alabama, Georgia, and Florida. Jessie J. Quebedeaux, 1403 West Landry, Opelousas, La., attorney for applicants.

No. MC-FC 64677. By order of December 8, 1961, the Transfer Board approved the transfer to William Jacobs, Hamonton, N.J., of Certificate No. MC 8543 issued April 7, 1942, to William H. Gardiner doing business as Gardiner's Express, Hamonton, N.J., authorizing the transportation of general commodities, excluding household goods and commodities in bulk, over regular routes between Hamonton, N.J., and Philadelphia, Pa., with service authorized to and from all intermediate points and the off-route points within 5 miles of Hamonton, N.J.; and household goods, over irregular routes, between Hamonton and Elwood, N.J., on the one hand, and, on the other, New York, N.Y., points on Long Island, N.Y., and those in Pennsylvania east of U.S. Highway

111. Samuel A. Curcio, attorney for transferee, 243 Bellevue Avenue, Hamonton, N.J.

No. MC-FC 64704. By order of December 15, 1961, the Transfer Board approved the transfer to Louise M. Spencer, doing business as Richard L. Spencer, Cambridge, Mass., of Permit No. MC 48589, issued June 12, 1943, to Richard L. Spencer, Cambridge, Mass., authorizing the transportation of such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business, between points within the territory bounded by a line beginning at Boston, Mass., and extending along the Atlantic Coast to Hampton Beach, N.H., thence west through Hampton to Manchester, N.H., thence in a southwesterly direction through New Boston and Peterboro to East Jaffrey, N.H., thence south through Winchendon, Mass., to East Templeton, Mass., thence in a southeasterly direction to East Princeton, Mass., thence south through Holden, Worcester, Auburn, North Oxford, and Oxford to Webster, Mass., thence east through Douglas to Mansfield, Mass., thence in a southeasterly direction through Taunton to New Bedford, Mass., and thence along the Atlantic Coast to Boston, including the points named and points on Cape Cod; and between points in the above-specified territory, on the one hand, and, on the other Springfield, Mass., Providence, R.I., and Portland, Maine. Thomas R. Mylott, Jr., administrator and representative of applicants, 106 Larchwood Drive, Cambridge 38, Mass.

[SEAL]

HAROLD D. McCoy,
Secretary.[F.R. Doc. 61-12090; Filed, Dec. 20, 1961;
8:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

DECEMBER 18, 1961.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 37477: *Dry silicate of soda to South Jacksonville, Fla.* Filed by O. W. South, Jr., Agent (No. A4144), for interested rail carriers. Rates on sodium (soda), silicate of, dry, in bulk, in carloads, from Chester, Pa., to South Jacksonville, Fla.

Grounds for relief: Destination rate relationship.

Tariff: Supplement 218 to Traffic Executive Association-Eastern Railroads tariff I.C.C. A-1079.

FSA No. 37478: *Class rates—Sea-Land Service, Inc.* Filed by Sea-Land Service, Inc. (No. 37), for itself and interested carriers. Rates on various commodities moving on less-than-truckload class rates loaded in trailers and transported over joint motor-water, water-motor and motor-water-motor routes of applicant

motor carriers and Sea-Land Service, Inc., between Baton Rouge, La., Amarillo, Lubbock, Wichita Falls, Tex., and points taking same rates, on the one hand, and points in Connecticut, Delaware, District of Columbia, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia, on the other.

Grounds for relief: Rail-water freight forwarder competition.

Tariff: Supplement 8 to Sea-Land Service, Inc., tariff I.C.C. 3.

FSA No. 37479: *Newsprint paper from points in Canada to Colorado common points*. Filed by Western Trunk Line, Committee, Agent (No. A-2215), for interested rail carriers. Rates on newsprint paper, in carloads, from Fort Frances, Fort William, Kenora, Pine Falls, Port Arthur, Sault Ste. Marie, Sioux Lookout, and West Fort William, Ont., Canada.

Grounds for relief: Market competition.

Tariffs: Supplement 14 to Western Trunk Line tariff I.C.C. A-4389 and supplement 46 to Canadian Pacific Railway tariff I.C.C. W-1043.

FSA No. 37480: *Iron and steel articles from official territory to WTL territory*. Filed by Traffic Executive Association-Eastern Railroads, Agent (E.R. No. 2592), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from points in official (not including Illinois) territory, to points in western trunk-line territory.

Grounds for relief: Market competition.

Tariff: Supplement to Traffic Executive Association-Eastern Railroads tariff I.C.C. C-134.

FSA No. 37482: *Tapioca flour and starch from Gulf ports to Mead, Ga.*

Filed by O. W. South, Jr., Agent (No. A4145), for interested rail carriers. Rates on flour, tapioca and starch, in carloads, from Pensacola, Fla., Mobile, Ala., Gulfport and Pascagoula, Miss., New Orleans and Baton Rouge, La. (Import rates), to Mead, Ga.

Grounds for relief: Rate relationship. Tariff: Supplement 117 to Southern Freight Association tariff I.C.C. S-87.

AGGREGATE-OF-INTERMEDIATES

FSA No. 37481: *Iron and steel articles from official territory to WTL territory*. Filed by Traffic Executive Association-Eastern Railroads, Agent (E.R. No. 2593), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from points in official (not including Illinois), to points in western trunk-line territory.

Grounds for relief: Maintenance of present through one-factor rates from and to points in the same or other territories without observing market competitive rates from official (not including Illinois) territory to western trunk-line territory as factors in constructing lower combination rates.

By the Commission.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 61-12073: Filed, Dec. 20, 1961;
8:47 a.m.]

[Ex Parte No. MC-55]

MOTOR COMMON CARRIERS OF PROPERTY

Routes and Services

DECEMBER 5, 1961.

On January 19, 1959, the Commission instituted the above-entitled rule making

proceeding with a view toward the possible adoption of proposals which would have allowed motor common carriers of property to operate between authorized service points over any available highway without adhering to their regular service routes, in the case of regular-route carriers, or without observing gateways, in the case of irregular-route carriers; and which would further have had the effect of eliminating the distinction between the types of service which may be performed by regular-route and irregular-route motor common carriers of property (24 F.R. 1820). Representations in favor of or in opposition to the proposed rules were filed by numerous persons; a proposed report of an examiner was served January 6, 1960, in which it was recommended that the proceeding be discontinued; and exceptions to the proposed report and replies to exceptions were filed by certain parties. On December 5, 1961, the Commission, division 1, to which the matter had been referred for disposition, issued its report in this proceeding in which it found that no affirmative action on the proposals advanced, or any part of them, is warranted at this time, and that the proceeding should be discontinued. An order was entered discontinuing the proceeding.

Copies of the report and order of division 1 may be obtained by any interested person upon request of the Secretary, Interstate Commerce Commission, Washington 25, D.C.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 61-12074: Filed Dec. 20, 1961;
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—DECEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during December.

3 CFR	Page	7 CFR—Continued	Page	14 CFR—Continued	Page
PROCLAMATIONS:		PROPOSED RULES—Continued		601	
May 27, 1907	11746	914	11435	11674, 11675, 11726-11728, 11822-	11485,
3298	11937	944	12132	11825, 11853-11859, 11893, 11894,	
3401	11714	947	12132	12070, 12071, 12073, 12074, 12215	
3440	11714	949	12037		602
3441	11937	952	12037		11729
3442	12023	953	11363	608	11729,
EXECUTIVE ORDERS:		982	11498	11730, 11859, 11861, 11894, 12033,	
Nov. 10, 1917	11906	990	12037	12215.	
Apr. 8, 1919	11906	993	12037	609	11939, 11946, 11951, 11960
June 14, 1921	11906	996	12037	610	12074
2711	11746	999	12037	PROPOSED RULES:	
3797-A	12080	1019	12168	18	11804
10717	11937	1026	11982	43	11804
10977	11471	1028	11982	302	11685, 11841
10978	11714	1050	12132	376	12179
10979	11937			399	11841
10980	12059			411	12085
5 CFR		8 CFR		507	11870, 12042
6	11347,	103	12111, 12212	600	11435, 11494, 11734
11483, 11671, 11813, 11852, 12060,		204	12212	601	11364-
12155, 12211.		212	12066, 12212	11368, 11435, 11436, 11438, 11440-	
29	11794	214	12066, 12213	11443, 11445, 11446, 11448, 11449,	
30	12109	237	11818	11451, 11453-11456, 11494, 11686,	
401	11938	242	12111	11734, 11988.	
6 CFR		243	11819, 12113	608	11435, 11494, 11988
421	12157	244	12113	15 CFR	
7 CFR		245	12114	201	11357
1	12155	249	12114	230	11360, 11972
46	12209	252	11797	16 CFR	
53	12109	253	11797	13	11360,
319	12029	299	11819	11486, 11675, 11730, 11825, 11895,	
401	12209	PROPOSED RULES:		11938, 12033, 12034, 12115, 12215,	
403	12210	242	11363	12216.	
718	11813	9 CFR		14	11826
719	12060	74	11852, 11970	17 CFR	
722	11472, 11481, 11851, 11887	77	11971	231	11896
728	11795, 12109	78	12067	239	11730
729	11816	83	11483, 11853	PROPOSED RULES:	
750	11725	PROPOSED RULES:		270	11738
775	11672	17	12222	18 CFR	
776	11347, 11407, 12210	74	11804	141	11897
811	11963	151	11870	260	11900
812	11817	201	11988	PROPOSED RULES:	
820	11965	10 CFR		2	11459
871	11968	25	11726	19 CFR	
914	11417,	12 CFR		3	11362
11817, 11851, 11890, 12062, 12063,		4	11353	5	11420
12156.		204	12031	21	11362
11417-11419		217	11798, 11971, 12031	54	11731
933	11417-11419	327	12031	PROPOSED RULES:	
936	12211	329	11798, 12031	10	11683
937	11725	13 CFR		20 CFR	
938	11725, 12063	121	12069	404	11827, 11938
946	12110	122	11353	21 CFR	
953	11419,	14 CFR		20	11676
958	11818, 11851, 12030, 12064, 12110	40	11354	120	11731, 11799, 12034
959	11483, 11852, 11970	41	11355	121	11677,
1001	12211	42	11356	11799, 11800, 11828-11830, 12035,	
1032	12064	49	12213	12077.	
1068	12030	221	11819, 12156	141a	11801
1069	12064	287	11890	141c	11801
PROPOSED RULES:		288	11483, 12114	146	12035
26	12132	302	11820	146a	11801
51	12222	507	11672,	146c	11801
362	12167	11821, 12032, 12033, 12213, 12214		147	11802
812	11838	555	11672	191	12035
903	12167	600	11357,	305	12216
904	12037	11484, 11485, 11674, 11726, 11727,			
911	11495	11822-11824, 11853, 11893, 12069,			
913	11839	12070, 12214.			

21 CFR—Continued

Page

PROPOSED RULES:	
1	11734
27	11988
51	11988
120	11684
121	11684,
	11735, 11841, 11870, 12143, 12144,
	12178.
141a	11684
146	11684
146a	11684
147	11684
307	12222

24 CFR

201	11731
220	12116
221	12118
233	12120

25 CFR

PROPOSED RULES:	
221	11734

26 CFR

1	11436, 11677, 12077, 12216
20	11861
25	11861
45	11861

PROPOSED RULES:	
1	12085
48	12085

28 CFR

15	11420
----	-------

29 CFR

403	11678
408	11678
670	11420
678	11420
779	11802

PROPOSED RULES:	
545	11735

30 CFR

222	11487
-----	-------

31 CFR

270	11938
-----	-------

32 CFR

272	11830
273	11831
577	11679
701	11715
710	11716
711	12158
714	12217
719	11763, 11862
720	11722
723	12121
736	12158, 12217
744	12217
755	11792
765	11680, 11794, 12158, 12217
1453	11972
1470	11972
1472	11972
2011	11421

32A CFR

OIA (CH. X):	
OI Reg. 1	11973

33 CFR

Page

2	12159
125	11862
203	11803, 12105
206	12105
210	11732
212	11421

35 CFR

10	12217
----	-------

36 CFR

1	11903
311	12122

PROPOSED RULES:	
1	11363

38 CFR

6	11680
7	11802
8	11680
21	11862

39 CFR

1—204	11513
2	12122
4	12122
13	11864
15	12122
17	11903
27	11903
31	11864, 12125
33	11903
41	12122
42	12122
44	12122
47	11864
48	11864
94	12218
96	12218
168	11832

PROPOSED RULES:	
61	11838
201	11426
202	11431
203	11432
204	11432

41 CFR

2-1	12126
2-3	12126
2-12	11904
9-7	11488
60-1	11974

43 CFR

61	12126
64	12126
66	12126
81	12126
102	12126
161	11975, 12165
192	12126

PROPOSED RULES:	
192	11493, 11911
200	11493

PUBLIC LAND ORDERS:	
61	11803
842	11361
1058	12082
1238	11863
2323	12080
2543	11361

43 CFR—Continued

Page

PUBLIC LAND ORDERS—Continued	
2544	11361
2545	11803
2546	11361
2547	11803
2548	11803
2549	11803
2550	11863
2551	11863
2552	11906
2553	12079
2554	12080
2555	12080
2556	12080
2557	12080
2558	12081
2559	12082

44 CFR

151	11425
-----	-------

46 CFR

2	11908
34	11908
73	11908
76	11909
78	11909
97	11909
146	12082
157	12082
167	11909
171	11864

PROPOSED RULES:	
201	11738
206	11738
221	11738
298	11738
299	11738

47 CFR

1	11909, 11977
2	11833, 11978
3	12024, 12083, 12165, 12220
7	12083
8	12083
10	11422, 11681, 11978
14	12083
16	11423, 11978
19	11978

PROPOSED RULES:	
3	11458,
	11495, 11870, 11911, 11989, 11990,
	12085, 12179, 12180.
7	11369, 12144
8	11369, 11912, 12144
10	12145
14	11369

49 CFR

43	11835
95	12166
170	11732
174a	11492

50 CFR

32	11733
33	11733,
	11836, 11837, 11868, 11869, 11909,
	12165.
80	12128
270	11979



